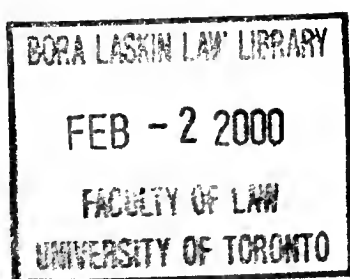


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1999—01—30

ONTARIO REGULATION 4/99

made under the

ADMINISTRATION OF JUSTICE ACT

Made: December 2, 1998

Filed: January 11, 1999

Amending O. Reg. 294/92

(Sheriffs—Fees)

Note: Since the end of 1997, Ontario Regulation 294/92 has been amended by Ontario Regulation 404/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. (1) Items 2 and 3 of subsection 1 (1) of Ontario Regulation 294/92 are revoked and the following substituted:
2. For filing or renewing a writ of execution or order which a sheriff is liable or required to enforce and for delivering a copy of the writ or order or a renewal of it to the land registrar of a land titles division \$ 41.00
- (2) Item 9 of subsection 1 (1) of the Regulation is revoked and the following substituted:
9. For each report showing the details of a writ, lien or order \$ 6.00
- to a maximum of \$60.00 for each name searched
- (3) Item 13 of subsection 1 (1) of the Regulation is revoked and the following substituted:
13. For making copies of documents (other than writs of execution, orders and certificates of lien),
- i. not requiring certification, per page \$ 1.00
- ii. requiring certification, per page 2.50

5/99

ONTARIO REGULATION 5/99

made under the

LAND TITLES ACT

Made: December 2, 1998

Filed: January 11, 1999

Amending Reg. 689 of R.R.O. 1990

(Fees)

Note: Regulation 689 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. (1) Clause (c) of subitem 6 (1) of the Schedule to Regulation 689 of the Revised Regulations of Ontario, 1990 is revoked.

RÈGLEMENT DE L'ONTARIO 4/99

pris en application de la

LOI SUR L'ADMINISTRATION DE LA JUSTICE

pris le 2 décembre 1998

déposé le 11 janvier 1999

modifiant le Règl. de l'Ont. 294/92

(Shérifs—Honoraires et frais)

Remarque : Depuis la fin de 1997, le Règlement de l'Ontario 294/92 a été modifié par le Règlement de l'Ontario 404/98. Pour les modifications antérieures, voir la Table des règlements figurant dans les Lois de l'Ontario de 1997.

1. (1) Les dispositions 2 et 3 du paragraphe 1 (1) du Règlement de l'Ontario 294/92 sont abrogées et remplacées par ce qui suit :
2. Pour le dépôt ou le renouvellement d'un bref d'exécution forcée ou d'une ordonnance que le shérif est tenu ou chargé d'exécuter et pour la remise d'une copie du bref ou de l'ordonnance ou de son renouvellement au registrateur d'une division d'enregistrement des droits immobiliers 41,00 \$
- (2) La disposition 9 du paragraphe 1 (1) du Règlement est abrogée et remplacée par ce qui suit :
9. Pour chaque rapport donnant le détail d'un bref, d'un privilège ou d'une ordonnance 6,00 \$
- jusqu'à concurrence de 60,00 \$ par nom recherché
- (3) La disposition 13 du paragraphe 1 (1) du Règlement est abrogée et remplacée par ce qui suit :
13. Pour la reproduction de documents (autres que les brefs d'exécution forcée, les ordonnances et les certificats de privilège)
- i. dont la certification n'est pas exigée, par page 1,00 \$
- ii. dont la certification est exigée, par page 2,50

- (2) Item 6 of the Schedule to the Regulation is amended by adding the following subitem:

ITEM	COLUMN 1	COLUMN 2
	Service	Fee
(3)	For each report showing the details of a writ, lien or order	\$6.00 to a maximum of \$60.00 for each name searched

ONTARIO REGULATION 6/99
made under the
MUNICIPAL TAX ASSISTANCE ACT

Made: January 12, 1999
Filed: January 13, 1999

**PAYMENTS FOR CROWN OCCUPIED
SPACE IN TAX EXEMPT PROPERTIES**

1. (1) This Regulation applies with respect to a property that is not taxable if the Crown in right of Ontario or a Crown agency is a tenant of all or part of the property.

(2) This Regulation does not apply with respect to provincial property.

(3) Payments may be made under this Regulation in respect of 1998 and subsequent taxation years.

2. (1) The Minister of Municipal Affairs and Housing may make payments to a municipality in respect of the portion of a property in the municipality that the Crown in right of Ontario is a tenant of.

(2) The amount the Minister is authorized to pay under subsection (1) shall be determined by the Minister but shall not exceed the tax for municipal and school purposes that would be payable in respect of the portion if the property were taxable.

3. (1) A Crown agency may make payments to a municipality in respect of the portion of a property in the municipality that the Crown agency is a tenant of.

(2) The amount a Crown agency is authorized to pay under subsection (1) shall be determined by the Crown agency but shall not exceed the tax for municipal and school purposes that would be payable in respect of the portion if the property were taxable.

ERNIE EVES
Minister of Finance

Dated on January 12, 1999.

5/99

ONTARIO REGULATION 7/99
made under the
MUNICIPAL ACT

Made: January 12, 1999
Filed: January 13, 1999

**PART XXII.2 - CAPPING OF TAXES FOR
CERTAIN PROPERTY CLASSES FOR 1998,
1999 AND 2000 - 10/5/5 PER CENT CAP**

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**PART I
ADJUSTMENTS TO "UNCAPPED 1998 TAXES"
FOR 1998 IN SUBSECTION 447.51 (5)
OF THE ACT**

SCHOOL TAXES

1. (1) This section provides for the adjustments in respect of reductions in taxes for school purposes for a property for 1998 for the purposes of the definition of "uncapped 1998 taxes" in subsection 447.51 (5) of the Act.

(2) The uncapped 1998 taxes for a property in one of the commercial classes in a municipality shall be increased by an amount determined in accordance with the following:

$$\text{Amount} = \frac{\text{Education tax cut (class)}}{\text{Uncapped 1998 taxes (classes)}} \times \text{Uncapped 1998 taxes (property)}$$

where,

"Education tax cut (class)" means the amount set out in Table 1 for the commercial classes in the municipality;

"Uncapped 1998 taxes (class)" means the total of the uncapped 1998 taxes, within the meaning of subsection 447.51 (5) of the Act, without any adjustment in respect of reductions in taxes for school purposes or changes in taxes for municipal purposes for all the property in the commercial classes in the municipality;

"Uncapped 1998 taxes (property)" means the uncapped 1998 taxes, within the meaning of subsection 447.51 (5) of the Act, without any adjustment in respect of reductions in taxes for school purposes or changes in taxes for municipal purposes for the property.

(3) Subsection (2) also applies, with necessary modifications, with respect to a property in one of the industrial classes.

(4) No adjustments shall be made in respect of reductions in taxes for school purposes for a property in the multi-residential property class.

(5) In this section,

"municipality" does not include a lower-tier municipality.

MUNICIPAL TAXES

2. (1) This section provides for the adjustments in respect of changes in taxes for municipal purposes for a property for 1998 for the purposes of the definition of "uncapped 1998 taxes" in subsection 447.51 (5) of the Act.

(2) The uncapped 1998 taxes for a property, as adjusted in respect of reductions in taxes for school purposes, shall be further adjusted by multiplying the taxes by a fraction determined in accordance with the following:

$$\text{Fraction} = \frac{1}{\text{Municipal tax change adjustment fraction} + 1}$$

where,

"Municipal tax change adjustment fraction" means the fraction in the formula in subsection 11 (2).

RESTRUCTURED MUNICIPALITIES

3. This Part does not apply with respect to the municipalities set out in Table 2 or municipalities that form part of those municipalities for municipal purposes.

PART II

SCHOOL TAX REDUCTION FOR 1998 UNDER DIVISION B OF PART XXII.2 OF THE ACT

4. This Part provides for the adjustments to be made under paragraph 4 of subsection 447.47 (1) of the Act in respect of reductions in taxes for school purposes for 1998.

DETERMINATION OF AMOUNT OF ADJUSTMENT

5. (1) The 1997-level taxes for a property in one of the commercial classes in a municipality shall be reduced by an amount determined in accordance with the following:

$$\text{Amount} = \frac{\text{Education tax cut (class)}}{\text{1997-level taxes with phase-in (class)}} \times \text{1997-level taxes with phase-in (property)}$$

where,

"Education tax cut (class)" means the amount set out in Table 1 for the commercial classes in the municipality;

"1997-level taxes with phase-in (class)" means the total of the 1997-level taxes for municipal and school purposes determined under paragraph 2 of subsection 447.47 (1) of the Act as adjusted under paragraph 3 of subsection 447.47 (1) of the Act for all the property in the commercial classes in the municipality;

"1997-level taxes with phase-in (property)" means the 1997-level taxes for municipal and school purposes determined under paragraph 2 of subsection 447.47 (1) of the Act as adjusted under paragraph 3 of subsection 447.47 (1) of the Act for the property.

(2) Subsection (1) also applies, with necessary modifications, with respect to a property in one of the industrial classes.

(3) No reduction shall be made in respect of reductions in taxes for school purposes for a property in the multi-residential property class.

(4) In this section,

"municipality" does not include a lower-tier municipality.

RESTRUCTURED MUNICIPALITIES

6. This Part does not apply with respect to the municipalities set out in Table 2 or municipalities that form part of those municipalities for municipal purposes.

PART III

SCHOOL TAX REDUCTION FOR 1998 UNDER DIVISION C OF PART XXII.2 OF THE ACT

7. This Part provides for the adjustments to be made under paragraph 4 of subsection 447.59 (1) of the Act in respect of changes in taxes for municipal purposes for 1998.

DETERMINATION OF AMOUNT OF ADJUSTMENT

8. (1) The 1997-level taxes for a property in one of the commercial classes in a municipality shall be reduced by an amount determined in accordance with the following:

$$\text{Amount} = \frac{\text{Education tax cut (class)}}{\text{1997-level taxes with phase-in (class)}} \times \text{1997-level taxes with phase-in (property)}$$

where,

"Education tax cut (class)" means the amount set out in Table 1 for the commercial classes in the municipality;

"1997-level taxes with phase-in (class)" means the total of the 1997-level taxes for municipal and school purposes for all the property in the commercial classes in the municipality;

"1997-level taxes with phase-in (property)" means the 1997-level taxes for municipal and school purposes for the property.

(2) For the purposes of subsection (1),

"1997-level taxes for municipal and school purposes" means the 1997-level taxes for municipal and school purposes as they would be determined under paragraph 2 of subsection 447.47 (1) of the Act and adjusted under paragraph 3 of subsection 447.47 (1) of the Act if Division B of Part XXII.2 of the Act applied except that no adjustment shall be made in respect of a 1998 tax decrease phase-in.

(3) Subsection (1) also applies, with necessary modifications, with respect to a property in one of the industrial classes.

(4) No reduction shall be made in respect of reductions in taxes for school purposes for a property in the multi-residential property class.

(5) In this section,

"municipality" does not include a lower-tier municipality.

RESTRUCTURED MUNICIPALITIES

9. This Part does not apply with respect to the municipalities set out in Table 2 or municipalities that form part of those municipalities for municipal purposes.

PART IV

MUNICIPAL TAX ADJUSTMENT FOR 1998 UNDER DIVISION B OF PART XXII.2 OF THE ACT

10. This Part provides for the adjustments to be made under paragraph 5 of subsection 447.47 (1) of the Act in respect of changes in taxes for municipal purposes for 1998.

DETERMINATION OF AMOUNT OF ADJUSTMENT

11. (1) The 1997-level taxes for a property shall be adjusted by an amount determined in accordance with subsection (2). The 1997-level

taxes shall be increased if the amount is positive or decreased if the amount is negative.

(2) The amount referred to in subsection (1) shall be determined in accordance with the following:

$$\text{Amount} = \frac{\text{Actual 1998 municipal rate} - \frac{\text{1998 rate to raise the 1997 levies}}{\text{1998 rate to raise the 1997 levies} + \text{Actual 1998 education rate}}}{\text{Actual 1998 education rate}} \times \text{1997-level taxes with phase-in}$$

where,

"Actual 1998 municipal rate" means the number determined under section 12;

"1998 rate to raise the 1997 levies" means the number determined under section 13;

"Actual 1998 education rate" means the number determined under section 14;

"1997-level taxes with phase-in" means the 1997-level taxes for municipal and school purposes determined under paragraph 2 of subsection 447.47 (1) of the Act as adjusted under paragraph 3 of subsection 447.47 (1) of the Act.

ACTUAL 1998 MUNICIPAL RATE

12. For the purposes of subsection 11 (2), the Actual 1998 municipal rate means a sum determined, in accordance with the following, for the property class and local municipality the property is in:

1. Identify each 1998 tax rate for municipal purposes on property in the property class in the local municipality.
2. A tax rate for the purposes of a special local municipality levy or a special upper-tier levy shall be identified under paragraph 1 only if it applies to at least 50 per cent of the total assessment of property in the property class in the local municipality taxable for municipal purposes.
3. The Actual 1998 municipal rate is the sum of the tax rates identified under paragraph 1.

1998 RATE TO RAISE THE 1997 LEVIES

13. (1) For the purposes of subsection 11 (2), the 1998 rate to raise the 1997 levies means a sum determined, in accordance with the following, for the property class and local municipality the property is in:

1. For each general or special 1997 levy that applied to property in the local municipality, determine the 1997 levy amount in accordance with subsection (2).
2. For each levy, determine the weighted assessment, in accordance with subsection (3), of property with respect to which the levy applied.
3. For each levy, determine the residential rate by dividing the 1997 levy amount, determined under paragraph 1, by the weighted assessment, determined under paragraph 2.
4. For each levy, determine a property class rate for each property class by multiplying the residential rate determined under paragraph 3 times the transition ratio for the property class. For the purposes of this paragraph, the transition ratio for the residential/farm property class shall be deemed to be 1 and the transition ratio for the farmlands property class and the managed forests property class shall be deemed to be .25.

5. For each property class, the 1998 rate to raise the 1997 levies is the sum of the property class rates determined under paragraph 4. However, a property class rate shall not be included if the total assessment, as set out in the assessment roll for 1998 as returned, for property in the property class in the local municipality with respect to which the levy applied is less than 50 percent of the total assessment, as set out in the assessment roll for 1998 as returned, for property in the property class in the local municipality taxable for municipal purposes.

(2) For the purposes of paragraph 1 of subsection (1), the 1997 levy amount for a levy shall be determined in accordance with the following:

1. Apply the mill rate for the levy to the total assessment, including business assessment, for property to which the levy applied other than property that is not taxable for municipal purposes for 1998.
2. For the purposes of paragraph 1, the assessment is the assessment set out in the assessment roll for 1997 as most recently revised.
3. For the purposes of paragraph 1, the mill rate applied to the assessment for property that, for 1998, is in the farmlands property class or the managed forests property class, shall be multiplied by .25.
4. The amount determined under paragraph 1 for the general local levy shall be adjusted by the amount set out in Table 3 for the local municipality. The amount determined under paragraph 1 shall be increased if the amount set out in the Table is positive or decreased if it is negative.
5. The amount determined under paragraph 1 for the general upper-tier levy, if any, shall be adjusted by the amount set out in Table 3 for the upper-tier municipality. The amount determined under paragraph 1 shall be increased if the amount set out in the Table is positive or decreased if it is negative.
6. The 1997 levy amount is the amount determined under paragraph 1, as adjusted under paragraph 4 or 5.

(3) For the purposes of paragraph 2 of subsection (1), the weighted assessment of property with respect to which the levy applied shall be determined in accordance with the following:

1. For each property with respect to which the levy applied, multiply the assessment for the property, as set out in the assessment roll for 1998 as returned, by the transition ratio for the property class the property is in for 1998.
2. For the purposes of paragraph 1, the transition ratio for the residential/farm property class shall be deemed to be 1 and the transition ratio for the farmlands property class and the managed forests property class shall be deemed to be .25.
3. For the purposes of paragraph 1, the assessment for a property with respect to which section 368.1 of the Act applies shall be reduced by an amount equal to the assessment with respect to which the percentage reduction in subsection 368.1 (1) of the Act applies multiplied by the percentage reduction.
4. The weighted assessment of the property with respect to which the levy applied equals the sum of the amounts determined under paragraph 1.

ACTUAL 1998 EDUCATION RATE

14. For the purposes of subsection 11 (2), the Actual 1998 education rate means the 1998 tax rate for school purposes on property in the property class in the local municipality determined under section 257.12 or 257.12.1 of the *Education Act*.

SPECIAL RULE, GRADUATED TAX RATES

15. (1) For the purposes of this Part, the tax rate for property with respect to which a by-law under section 368.2 of the Act applies is the tax rate that would have applied if section 368.2 of the Act did not apply.

(2) Subsection (1) also applies, with necessary modifications, with respect to tax rates determined under section 257.12.1 of the *Education Act* if subsection 257.12.1 (9) of the *Education Act* applies with respect to the property.

RESTRUCTURED MUNICIPALITIES

16. This Part does not apply with respect to the municipalities set out in Table 2 or municipalities that form part of those municipalities for municipal purposes.

PART V
MUNICIPAL TAX CHANGE ADJUSTMENT FOR 1998
UNDER DIVISION C OF PART XXII.2 OF THE ACT

17. This Part provides for the adjustments to be made under paragraph 5 of subsection 447.59 (1) of the Act in respect of changes in taxes for municipal purposes for 1998.

18. (1) Sections 11 to 16 apply as though they formed part of this Part with the modifications in this section and such other modifications as are necessary.

(2) The variable called "1997-level taxes with phase-in" in the formula in subsection 11 (2), as that subsection is made applicable under subsection (1), shall be calculated as though Division B of Part XXII.2 of the Act applied except that no adjustment shall be made under paragraph 3 of subsection 447.47 (1) of the Act in respect of a 1998 tax decrease phase-in.

TABLE 1
EDUCATION TAX CUTS

Municipality	Commercial classes (amounts in dollars)	Industrial classes (amounts in dollars)
Township of Atikokan	6,450	13,735
County of Brant		80,578
City of Brantford		205,408
City of Brockville		219,685
Township of Casey		33
Township of Casimir, Jennings, and Appleby		25,407
Town of Cobalt		53
Township of Coleman		3,289
City of Cornwall		155,974
Township of Dorian	5,508	
Regional Municipality of Durham		1,046,863
Township of Ear Falls		6,025
City of Elliot Lake		27,433
Town of Fort Frances		45,369

Municipality	Commercial classes (amounts in dollars)	Industrial classes (amounts in dollars)
City of Guelph		376,201
Region of Haldimand-Norfolk		225,766
Region of Halton		190,896
Region of Hamilton-Wentworth	122,289	2,486,180
Township of Harley		114
Township of James	437	
Town of Kapuskasing		44,282
Town of Kenora		31,045
Town of Latchford	25	
City of London		633,933
Town of Longlac		18,562
Township of Manitouwadge		2,058
Town of Marathon		73,937
Township of Matachewan		4
Town of New Liskeard	7,167	8,045
Region of Niagara		1,417,759
City of North Bay		57,779
City of Orillia		97,911
Region of Ottawa-Carleton		215,035
City of Owen Sound		117,939
City of Pembroke		30,258
Separated Town of Prescott		19,223
Town of Rainy River		16
Township of Red Rock		76,343
Township of Schreiber	2,908	
Township of Shuniah	2,046	4,745
Separated Town of Smiths Falls		37,700
Town of Smooth Rock Falls		36,717
City of St. Thomas		53,565
Town of Sturgeon Falls		37,356
Region of Sudbury		5,041
Township of Terrace Bay		13,011
City of Thunder Bay		295,112
City of Timmins		12,041
Region of Waterloo		998,247
Township of White River		168
City of Windsor		1,035,222

TABLE 2

MUNICIPALITIES WITH RESPECT TO WHICH
CERTAIN PARTS DO NOT APPLY

Municipality
City of Belleville
County of Bruce
Township of Burpee and Mills
Township of Central Manitoulin
Municipality of Chatham-Kent
Township of Coleman
City of Dryden
County of Elgin
Town of Espanola
County of Essex
Frontenac Board of Management
County of Grey
County of Hastings
City of Kingston
Township of Lake of the Woods
County of Lambton
County of Lanark
County of Leeds and Grenville
County of Lennox and Addington
Township of Magnetawan
Township of McMurrich-Monteith
County of Middlesex
Township of Nairn and Hyman
Town of Northeastern Manitoulin and The Islands
County of Northumberland
Municipality of Oliver-Paipoonge
County of Perth
County of Peterborough
County of Prescott and Russell
County of Prince Edward
City of Quinte West
Municipality of Red Lake
County of Renfrew
Township of Sables-Spanish River
Municipality
Township of Seguin
Town of Sioux Lookout
Township of South Algonquin
County of Stormont, Dundas and Glengarry

Municipality
Municipality of Temagami
County of Wellington

TABLE 3

ADJUSTMENTS TO GENERAL LEVIES UNDER PART IV

Municipality	Amount (in dollars)
REGIONAL MUNICIPALITIES	
Regional Municipality of Durham	89,464,000
City of Oshawa	-1,370,000
Town of Ajax	2,546,000
Town of Clarington	2,980,000
Town of Pickering	5,552,000
Town of Whitby	2,429,000
Township of Brock	473,000
Township of Scugog	886,000
Township of Uxbridge	787,000
Regional Municipality of Haldimand-Norfolk	15,647,000
City of Nanticoke	-677,000
Town of Dunnville	303,000
Town of Haldimand	257,000
Town of Simcoe	-362,000
Township of Delhi	322,000
Township of Norfolk	156,000
Regional Municipality of Halton	88,610,000
City of Burlington	1,680,000
Town of Halton Hills	119,000
Town of Milton	-920,000
Town of Oakville	-879,000
Regional Municipality of Hamilton-Wentworth	95,406,000
City of Hamilton	-2,100,000
City of Stoney Creek	-342,000
Town of Ancaster	1,499,000
Town of Dundas	552,000
Town of Flamborough	421,000
Township of Glanbrook	-29,000
Regional Municipality of Niagara	74,148,000
City of Niagara Falls	-450,000
City of Port Colborne	140,000
City of St Catharines	-109,000
City of Welland	428,000
City of Thorold	-360,000
Town of Fort Erie	427,000
Town of Grimsby	-69,000
Town of Lincoln	-362,000

Municipality	Amount (in dollars)
Town of Niagara-on-the-Lake	-705,000
Town of Pelham	745,000
Township of Wainfleet	-280,000
Township of West Lincoln	36,000
Regional Municipality of Ottawa-Carleton	206,977,000
City of Ottawa	-11,565,000
City of Vanier	591,000
City of Kanata	87,000
City of Nepean	6,183,000
City of Gloucester	3,892,000
Village of Rockcliffe Park	289,000
Township of Cumberland	1,948,000
Township of Goulbourn	3,101,000
Township of Osgoode	2,240,000
Township of Rideau	2,004,000
Township of West Carleton	2,387,000
Regional Municipality of Sudbury	25,006,000
City of Sudbury	1,013,000
Town of Capreol	104,000
Town of Nickel Centre	-239,000
Town of Onaping Falls	-432,000
Town of Rayside - Balfour	4,000
Town of Valley East	284,000
Town of Walden	-734,000
Regional Municipality of Waterloo	70,532,000
City of Cambridge	-1,066,000
City of Kitchener	5,247,000
City of Waterloo	2,192,000
Township of North Dumfries	-220,000
Township of Wellesley	-30,000
Township of Wilmot	122,000
Township of Woolwich	-258,000
COUNTIES (Including District of Muskoka)	
County of Brant	4,590,000
Town of Paris	-181,000
Township of Brantford	-65,000
Township of Burford	96,000
Township of South Dumfries	83,000
Township of Oakland	-2,000
Township of Onondaga	70,000
County of Dufferin	7,483,000
Town of Orangeville	451,000
Town of Shelburne	119,000
Township of Amaranth	189,000

Municipality	Amount (in dollars)
Township of East Garafraxa	70,000
Township of Melancthon	78,000
Township of Mono	380,000
Township of Mulmur	176,000
Township of East Luther Grand Valley	81,000
County of Haliburton	2,599,000
Township of Anson Hindon and Minden	-104,000
Township of Cardiff	-33,000
Township of Dysart et al	73,000
Township of Glamorgan	53,000
Township of Lutterworth	147,000
Township of Monmouth	-4,000
Township of Sherborne McClintock et al	4,000
Township of Snowdon	-50,000
Township of Stanhope	-93,000
Township of Bicroft	5,000
County of Huron	10,666,000
Town of Clinton	1,000
Town of Exeter	-57,000
Town of Goderich	-197,000
Town of Seaforth	-40,000
Town of Wingham	3,000
Village of Bayfield	71,000
Village of Blyth	-7,000
Village of Brussels	20,000
Village of Hensall	-41,000
Village of Zurich	9,000
Township of Ashfield	241,000
Township of Colborne	72,000
Township of Goderich	-14,000
Township of Grey	-49,000
Township of Hay	108,000
Township of Howick	33,000
Township of Hullett	-35,000
Township of McKillop	-76,000
Township of Morris	16,000
Township of Stanley	67,000
Township of Stephen	-16,000
Township of Tuckersmith	-16,000
Township of Turnberry	4,000
Township of Usborne	-81,000
Township of East Wawanosh	-24,000
Township of West Wawanosh	9,000
District of Muskoka	16,106,000

Municipality	Amount (in dollars)
Town of Bracebridge	-267,000
Town of Gravenhurst	189,000
Town of Huntsville	-362,000
Township of Georgian Bay	171,000
Township of Lake of Bays	155,000
Township of Muskoka Lakes	113,000
County of Oxford	13,663,000
City of Woodstock	680,000
Town of Ingersoll	-374,000
Town of Tillsonburg	13,000
Township of Blandford - Blenheim	-162,000
Township of East Zorra - Tavistock	-41,000
Township of Norwich	84,000
Township of South-West Oxford	25,000
Township of Zorra	-225,000
County of Simcoe	38,229,000
Town of Collingwood	700,000
Town of Midland	284,000
Town of Penetanguishene	377,000
Town of Wasaga Beach	1,654,000
Town of Innisfil	2,846,000
Town of Bradford - West Gwillimbury	1,430,000
Town of New Tecumseth	1,119,000
Township of Essa	944,000
Township of Tiny	1,814,000
Township of Adjala-Tosorontio	613,000
Township of Clearview	1,201,000
Township of Oro-Medonte	1,925,000
Township of Ramara	1,288,000
Township of Severn	965,000
Township of Springwater	1,296,000
Township of Tay	1,336,000
County of Victoria	14,419,000
Town of Lindsay	227,000
Village of Bobcaygeon	252,000
Village of Fenelon Falls	236,000
Village of Omeme	74,000
Village of Sturgeon Point	89,000
Village of Woodville	29,000
Township of Bexley	538,000
Township of Carden	172,000
Township of Dalton	29,000
Township of Eldon	91,000
Township of Emily	364,000

Municipality	Amount (in dollars)
Township of Fenelon	751,000
Township of Laxton Digby and Longford	150,000
Township of Mariposa	252,000
Township of Ops	106,000
Township of Somerville	506,000
Township of Verulam	555,000
Township of Manvers	-28,000
SEPARATED MUNICIPALITIES	
City of Barrie	18,034,000
City of Brantford	10,853,000
City of Brockville	2,565,000
City of Cornwall	6,506,000
Town of Gananoque	609,000
City of Guelph	18,056,000
City of London	83,045,000
City of Orillia	5,361,000
City of Owen Sound	2,749,000
Township of Pelee	110,000
City of Pembroke	1,336,000
City of Peterborough	12,110,000
Town of Prescott	398,000
Town of St Marys	700,000
City of St Thomas	3,390,000
Town of Smiths Falls	1,113,000
City of Stratford	3,643,000
City of Windsor	35,893,000
DISTRICTS	
District of Algoma	
City of Sault Ste Marie	10,991,000
City of Elliot Lake	2,198,000
Town of Blind River	1,138,000
Town of Bruce Mines	45,000
Town of Thessalon	96,000
Village of Hilton Beach	28,000
Village of Iron Bridge	195,000
Township of Day and Bright Additional	226,000
Township of Hilton	61,000
Township of Jocelyn	70,000
Township of Johnson	95,000
Township of Laird	158,000
Township of Macdonald Meredith et al	162,000
Township of Michipicoten	416,000
Township of Plummer Additional	94,000
Township of Prince	193,000

Municipality	Amount (in dollars)
Township of St Joseph	170,000
Township of Tarbutt and Tarbutt Add'nl	52,000
Township of Thessalon	83,000
Township of Thompson	34,000
Township of Hornepayne	104,000
Township of The North Shore	209,000
Township of White River	135,000
Township of Shedden	80,000
Township of Dubreuilville	87,000
District of Cochrane	
City of Timmins	5,692,000
Town of Cochrane	563,000
Town of Hearst	474,000
Town of Iroquois Falls	358,000
Town of Kapuskasing	1,458,000
Town of Smooth Rock Falls	262,000
Township of Black River - Matheson	250,000
Township of Moonbeam	244,000
Township of Glackmeyer	95,000
Township of Fauquier-Strickland	53,000
Township of Val Rita-Harty	108,000
Township of Mattice - Val Cote	3,000
Township of Opatatika	9,000
Moosonee Dev Area Bd	0
District of Kenora	
Town of Keewatin	210,000
Town of Kenora	887,000
Town of Jaffray Melick	308,000
Township of Ignace	124,000
Township of Machin	48,000
Township of Ear Falls	194,000
Township of Pickle Lake	-1,000
Township of Sioux Narrows	134,000
District of Manitoulin	
Town of Gore Bay	55,000
Township of Assiginack	121,000
Township of Barrie Island	20,000
Township of Billings	94,000
Township of Cockburn Island	3,000
Township of Gordon	58,000
Township of Rutherford & George Island	45,000
Township of Tehkummah	58,000
District of Nipissing	
City of North Bay	8,241,000

Municipality	Amount (in dollars)
Town of Cache Bay	31,000
Town of Mattawa	193,000
Town of Sturgeon Falls	537,000
Township of Bonfield	243,000
Township of Caldwell	148,000
Township of Calvin	-18,000
Township of Chisholm	119,000
Township of East Ferris	730,000
Township of Field	90,000
Township of Mattawan	22,000
Township of Springer	286,000
Township of Papineau-Cameron	80,000
District of Parry Sound	
Town of Kearney	316,000
Town of Parry Sound	323,000
Town of Powassan	111,000
Town of Trout Creek	51,000
Village of Burk's Falls	106,000
Village of South River	95,000
Village of Sundridge	152,000
Township of Armour	337,000
Township of Carling	-206,000
Township of Hagerman	78,000
Township of North Himsworth	437,000
Township of South Himsworth	144,000
Township of Joly	67,000
Township of Machar	277,000
Township of McDougall	-52,000
Township of McKellar	10,000
Township of Nipissing	384,000
Township of Perry	422,000
Township of Ryerson	150,000
Township of Strong	293,000
Township of The Archipelago	187,000
District of Rainy River	
Town of Fort Frances	561,000
Town of Rainy River	39,000
Township of Aliberton	82,000
Township of Atikokan	467,000
Township of Chapple	65,000
Township of Emo	112,000
Township of La Vallee	52,000
Township of Morley	17,000
Township of Dawson	15,000

Municipality	Amount (in dollars)
District of Sudbury	
Township of Baldwin	108,000
Township of Casimir Jennings & Appleby	61,000
Township of Chapleau	212,000
Township of Cosby Mason and Martland	191,000
Township of Hagar	34,000
Township of Ratter and Dunnet	67,000
District of Thunder Bay	
City of Thunder Bay	17,055,000
Town of Geraldton	324,000
Town of Longlac	261,000
Town of Marathon	465,000
Township of Conmee	36,000
Township of Dorion	65,000
Township of Gillies	18,000
Township of Neebing	68,000
Township of Nipigon	326,000
Township of O'Connor	72,000
Township of Schreiber	230,000
Township of Shuniah	577,000
Township of Terrace Bay	264,000
Township of Manitouwadge	616,000
Township of Beardmore	-1,000
Township of Nakina	19,000
Township of Red Rock	141,000
District of Timiskaming	
Town of Charlton	19,000
Town of Cobalt	82,000
Town of Englehart	259,000
Town of Haileybury	606,000
Town of Kirkland Lake	911,000
Town of Latchford	38,000
Town of New Liskeard	783,000
Village of Thornloe	11,000
Township of Armstrong	112,000
Township of Brethour	1,000
Township of Casey	34,000
Township of Chamberlain	5,000
Township of Dack	27,000
Township of Dymond	55,000

Municipality	Amount (in dollars)
Township of Evanturel	34,000
Township of Harley	42,000
Township of Harris	95,000
Township of Hilliard	20,000
Township of Hudson	99,000
Township of James	37,000
Township of Kerns	16,000
Township of Larder Lake	61,000
Township of McGarry	17,000
Township of Gauthier	11,000
Township of Matachewan	34,000

ERNE EVES
Minister of Finance

Dated on January 12, 1999.

5/99

ONTARIO REGULATION 8/99
made under the
ASSESSMENT ACT

Made: January 13, 1999

Filed: January 14, 1999

Amending O. Reg. 282/98
(General)

Note: Ontario Regulation 282/98 has previously been amended by Ontario Regulations 390/98 and 721/98.

1. Subsection 22 (3) of Ontario Regulation 282/98 is revoked and the following substituted:

(3) For the 1999 taxation year, the deadline for the application under subsection (1) is February 28, 1999 and not November 1, 1998 as provided under that subsection.

ERNE EVES
Minister of Finance

Dated on January 13, 1999.

5/99

ONTARIO REGULATION 9/99
made under the
ELECTRICITY ACT, 1998

Made: January 13, 1998

Filed: January 14, 1998

Amending O. Reg. 610/98
(The IMO)

Note: Ontario Regulation 610/98 has not previously been amended.

1. Subsection 1 (10) of Ontario Regulation 610/98 is revoked and the following substituted:

(10) For the purpose of clause (8) (b), a person has a commercial affiliation with another person if the person supplies goods or services to or receives goods or services from the other person, unless,

- (a) the person receives the goods or services in the ordinary course of being a customer of a distributor or retailer or an affiliate of a distributor or retailer; or
- (b) a person or committee appointed by the Minister for the purposes of this clause determines that the supply or receipt of the goods or services does not materially affect the independence of the person from,
 - (i) members of the classes of persons referred to in clauses (2) (a), (b), (c) and (d), and
 - (ii) affiliates of members of the classes of persons referred to in clauses (2) (a), (b), (c) and (d).

5/99

Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1999—02—06

ONTARIO REGULATION 10/99 made under the PUBLIC SECTOR LABOUR RELATIONS TRANSITION ACT, 1997

Made: January 13, 1999

Filed: January 18, 1999

SENIORITY OF EMPLOYEES

1. This Regulation governs the determination of seniority for the following employees:

1. Employees in a bargaining unit of employees of a person operating a hospital if,
 - i. the Crown transferred all or part of the business carried on at an institution to which the *Mental Hospitals Act* applies to the person operating the hospital, and
 - ii. the bargaining unit includes an individual who, immediately before the transfer, was employed by the Crown in the transferred business and who, immediately after the transfer, was employed by the person operating the hospital in the transferred business.
2. Employees in a bargaining unit of employees of a municipality if,
 - i. the Crown transferred all or part of a business to the municipality, and
 - ii. the bargaining unit includes an individual who, immediately before the transfer, was employed by the Crown in the transferred business and who, immediately after the transfer, was employed by the municipality in the transferred business.

2. (1) Each employee in a bargaining unit shall be accorded seniority on the same basis as other employees in the bargaining unit and, without restricting the generality of the foregoing,

- (a) if the collective agreement provides that seniority includes all periods of employment with the employer and all periods of employment with a previous employer, his or her seniority shall include all periods of employment with the employer and all periods of employment with a previous employer or the Crown;
- (b) if the collective agreement provides that seniority includes all periods of employment in the bargaining unit of the employer and all periods of employment in a bargaining unit of a previous employer, his or her seniority shall include all periods of employment in the bargaining unit of the employer and all periods of employment with a previous employer or the Crown in a position having duties, responsibilities and other attributes such that, if the employment were with the employer, the employee would have been a member of the bargaining unit; and
- (c) if the collective agreement provides that seniority includes all periods of employment in the bargaining unit or in a similar bargaining unit of the employer and all periods of employment in a bargaining unit of a previous employer, his or her seniority shall include all periods of employment in the bargaining unit or similar bargaining unit of the employer and all periods of employment with a previous employer or the Crown in a position having duties, responsibilities and other attributes such that, if the employment were with the employer, the employee would have been a member of the bargaining unit or similar bargaining unit.

(2) In subsection (1),

"previous employer" means,

- (a) a predecessor employer of the employer, or
- (b) an employer who sold their business to the employer within the meaning of section 69 of the *Labour Relations Act, 1995* and that section or a predecessor of that section applied with respect to the sale of the business.

6/99

ONTARIO REGULATION 11/99 made under the PUBLIC SECTOR LABOUR RELATIONS TRANSITION ACT, 1997

Made: January 13, 1999

Filed: January 18, 1998

Amending O. Reg. 458/97
(Application of the Act)

Note: Ontario Regulation 458/97 has previously been amended by Ontario Regulation 37/98.

1. Ontario Regulation 458/97 is amended by adding the following section:

RÈGLEMENT DE L'ONTARIO 11/99

pris en application de la

LOI DE 1997 SUR LES RELATIONS DE TRAVAIL LIÉES À LA TRANSITION DANS LE SECTEUR PUBLIC

pris le 13 janvier 1999

déposé le 18 janvier 1999

modifiant le Règl. de l'Ont. 458/97
(Application de la Loi)

Remarque : Le Règlement de l'Ontario 458/97 a été modifié antérieurement par le Règlement de l'Ontario 37/98.

1. Le Règlement de l'Ontario 458/97 est modifié par adjonction de l'article suivant :

PSYCHIATRIC HOSPITALS

3. (1) The Act applies upon the transfer of all or a substantial part of the business carried on by the Crown at an institution to which the *Mental Hospitals Act* applies to a corporation operating a public hospital if an employee who was employed in the transferred business immediately before the transfer was in a bargaining unit immediately before the transfer and one of the following is satisfied:

1. Immediately after the transfer, the employee would, if the Act did not apply, be in a bargaining unit of employees of the corporation operating the public hospital.
2. At the time of the transfer, there is a pending application for certification that has been made to the Board that includes a description of a bargaining unit of employees of the corporation operating the public hospital that would include the employee.
3. At the time of the transfer, there is a pending application for certification to which the corporation operating the public hospital has responded by giving the Board a written description of the bargaining unit that the corporation proposes and that proposed bargaining unit would include the employee.
4. The corporation operating the public hospital is a successor employer in relation to a previous occurrence described in sections 3 to 10 of the Act and an application has been made for an order under section 22 of the Act but, at the time of the transfer, the Board has not determined the number and description of the bargaining units that are appropriate for the operations of the corporation operating the public hospital.

(2) Paragraphs 2 and 3 of subsection (1) do not apply if the trade union that made the application for certification is,

- (a) the bargaining agent that represented the employee immediately before the transfer; or
- (b) subordinate or directly related to the bargaining agent described in clause (a).

(3) For the purposes of the Act, for each transfer described in subsection (1),

- (a) the predecessor employers are the Crown and the corporation operating the public hospital;
- (b) the successor employer is the corporation operating the public hospital;
- (c) the changeover date is the date of the transfer.

(4) In this section,

"public hospital" means a hospital as defined in section 1 of the *Public Hospitals Act*.

HÔPITAUX PSYCHIATRIQUES.

3. (1) La Loi s'applique dès que l'ensemble ou une partie importante des activités qu'exerce la Couronne à un établissement auquel s'applique la *Loi sur les hôpitaux psychiatriques* est transféré à une personne morale qui exploite un hôpital public si un employé qui était employé dans les activités transférées immédiatement avant le transfert était à ce moment-là compris dans une unité de négociation et que l'une des conditions suivantes est remplie :

1. Immédiatement après le transfert, l'employé serait, si la Loi ne s'appliquait pas, compris dans une unité de négociation composée d'employés de la personne morale qui exploite l'hôpital public.
2. Au moment du transfert, est toujours en instance une requête en accréditation qui a été présentée à la Commission et qui contient une description d'une unité de négociation composée d'employés de la personne morale qui exploite l'hôpital public, qui comprendrait l'employé.
3. Au moment du transfert, est toujours en instance une requête en accréditation à laquelle la personne morale qui exploite l'hôpital public a donné suite en remettant à la Commission une description écrite de l'unité de négociation qu'elle propose, laquelle comprendrait l'employé.
4. La personne morale qui exploite l'hôpital public est un employeur qui succède relativement à un événement antérieur visé aux articles 3 à 10 de la Loi et une requête en vue d'obtenir une ordonnance visée à l'article 22 de la Loi a été présentée, mais, au moment du transfert, la Commission n'a pas encore décidé du nombre et de la description des unités de négociation qui sont appropriées pour les activités de la personne morale qui exploite l'hôpital public.

(2) Les dispositions 2 et 3 du paragraphe (1) ne s'appliquent pas si le syndicat qui a présenté la requête en accréditation est, selon le cas :

- a) l'agent négociateur qui représentait l'employé immédiatement avant le transfert;
- b) subordonné ou directement apparenté à l'agent négociateur visé à l'alinéa a).

(3) Pour l'application de la Loi, dans le cas de chaque transfert visé au paragraphe (1) :

- a) les employeurs précédents sont la Couronne et la personne morale qui exploite l'hôpital public;
- b) l'employeur qui succède est la personne morale qui exploite l'hôpital public;
- c) la date du changement est la date du transfert.

(4) La définition qui suit s'applique au présent article.

«hôpital public» Hôpital au sens de l'article 1 de la *Loi sur les hôpitaux publics*.

ONTARIO REGULATION 12/99
made under the
GASOLINE TAX ACT

Made: January 20, 1999

Filed: January 21, 1999

Amending Reg. 534 of R.R.O. 1990
(Miscellaneous)

Note: Regulation 534 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Subsection 1 (2) of Regulation 534 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(2) Every collector who is not a large collector (within the meaning of subsection 1.0.1 (2)) for a calendar year shall deliver to the Minister for each month in that year, on or before the 21st day of the following month,

(a) a return in the form entitled "Collector Gasoline Tax Return—GT66" published by the Ministry of Finance reporting the amount of tax collectible and payable by the collector for the month; and

(b) a report on,

i. the quantities of gasoline, aviation fuel and propane on hand, produced, received, consumed, imported, sold and otherwise disposed of by the collector during the month, and

ii. the quantities of gasoline, aviation fuel or propane which were lost during the month on account of shrinkage due to variation in temperature or evaporation.

2. The Regulation is amended by adding the following section:

1.0.1 (1) This section applies to a collector who is a large collector for 1999 or a subsequent year.

(2) A collector is considered to be a large collector for a calendar year if the total amount of tax collectible and payable by the collector under the Act for the previous calendar year, including the amount referred to in clause 11 (15) (a) of the Act included in any penalty assessed against the collector under subsection 11 (15) of the Act in respect of that year, but excluding interest payable by the collector and other amounts assessed as penalties under the Act in respect of that year, exceeds \$36 million.

(3) For each month in the year, every large collector shall deliver the following returns (in a form approved by the Minister) to the Minister on the following dates in respect of the tax collectible and payable by the collector:

1. A return for the period commencing on the 1st day of the month and ending at the end of the 15th day of the month, delivered on or before the last day of the month.

2. A return for the period commencing on the 16th day of the month and ending at the end of the last day of the month, delivered on or before the 15th day of the following month.

3. A return for the period commencing on the 1st day of the month and ending at the end of the last day of the month, to be delivered on or before the last day of the following month, containing,

i. a reconciliation of the amounts previously reported and transmitted on account of tax collectible and payable by the

collector for the month, and the amount of tax collectible and tax payable by the collector for the month, and

ii. a report on,

A. the quantities of gasoline, aviation fuel and propane on hand, produced, received, consumed, imported, sold and otherwise disposed of by the collector during the month, and

B. the quantities of gasoline, aviation fuel or propane, which were lost during the month on account of shrinkage due to variation in temperature or evaporation.

(4) Subject to subsections (5) and (6), a large collector is considered to have transmitted the tax collectible and payable for a month as required by subsection 9 (1) of the Act if the collector transmits the tax to the Minister with the returns for the month in the following manner:

1. The collector must transmit with the return required under paragraph 1 of subsection (3) an amount equal to one-half of the total tax collectible and payable by the collector for the previous month, less the amount, if any, by which the total of all amounts transmitted by the collector to the Minister on account of tax collectible and payable by the collector for the previous month exceeds the total tax collectible and payable by the collector for the previous month.

2. The collector must transmit with the return required under paragraph 2 of subsection (3) an amount equal to one-half of the total tax collectible and payable by the collector for the previous month.

3. The collector must transmit with the return required under paragraph 3 of subsection (3) the amount, if any, by which the total tax collectible and payable by the collector for the month exceeds the total amount previously transmitted to the Minister on account of tax collectible and payable by the collector for the month.

(5) An amount required to be transmitted to the Minister under paragraph 3 of subsection (4) may be reduced by an amount permitted under the Act or the regulations to be deducted from the payment.

(6) A collector who is a large collector for a calendar year but was not a large collector for the previous calendar year is considered to have transmitted the tax collectible and payable as required by subsection 9 (1) of the Act for each of January and February of the year in which it becomes a large collector, if the collector transmits the tax to the Minister in the following manner:

1. The collector must transmit with the return required under paragraph 1 of subsection (3) for January, an amount equal to one-sixth of the total tax collectible and payable by the collector for December of the previous year.

2. The collector must transmit with the return required under paragraph 2 of subsection (3) for January, an amount equal to five-sixths of the total tax collectible and payable by the collector for December of the previous year.

3. The collector must transmit with the return required under paragraph 1 of subsection (3) for February, an amount equal to one-third of the total tax collectible and payable by the collector for January, less the amount, if any, by which the total of all amounts transmitted to the Minister on account of the tax collectible and payable by the collector for January exceeds the total tax collectible and payable by the collector for January.

4. The collector must transmit with the return required under paragraph 2 of subsection (3) for February, an amount equal to two-thirds of the total tax collectible and payable by the collector for January.
5. The collector must transmit with each return required under paragraph 3 of subsection (3) for January and February, the amount, if any, by which the total tax collectible and payable by the collector for the month exceeds the total amount previously transmitted to the Minister on account of tax collectible and payable by the collector for the month.

3. This Regulation shall be deemed to have come into force on January 1, 1999.

Dated on January 20, 1999.

CHRIS HODGSON
Chair of Management Board

6/99

CORRECTION

Ontario Regulation 3/99 under the *Police Services Act* published in the January 23, 1999 issue of *The Ontario Gazette*.

The date on which the regulation was filed should have read January 8, 1999.

Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1999—02—13

ONTARIO REGULATION 13/99

made under the

**ELECTRONIC REGISTRATION ACT
(MINISTRY OF CONSUMER AND COMMERCIAL
RELATIONS STATUTES), 1991**

Made: May 14, 1997
Filed: January 25, 1999

Amending O. Reg. 759/93
(Designation of Acts)

Note: Ontario Regulation 759/93 has not previously been amended.

1. Section 1 of Ontario Regulation 759/93 is amended by adding the following:

Land Registration Reform Act

Land Titles Act

7/99

RÈGLEMENT DE L'ONTARIO 13/99

pris en application de la

**LOI DE 1991 SUR L'ENREGISTREMENT
ÉLECTRONIQUE DANS LE CADRE DE LOIS
RELEVANT DU MINISTÈRE DE LA CONSOMMATION
ET DU COMMERCE**

pris le 14 mai 1997
déposé le 25 janvier 1999

modifiant le Règl. de l'Ont. 759/93
(Désignation de lois)

Remarque : Le Règlement de l'Ontario 759/93 n'a pas été modifié antérieurement.

1. L'article 1 du Règlement de l'Ontario 759/93 est modifié par adjonction de ce qui suit :

Loi portant réforme de l'enregistrement immobilier

Loi sur l'enregistrement des droits immobiliers

**ONTARIO REGULATION 14/99
made under the
LAND REGISTRATION REFORM ACT**

Made: January 13, 1999
Filed: January 25, 1999

Amending Reg. 688 of R.R.O. 1990
(Documents)

Note: Regulation 688 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Sections 2, 3, 4, 5, 6, 7, 8 and 9 of Regulation 688 of the Revised Regulations of Ontario, 1990 are revoked.

2. Forms 6, 7 and 8 of the Regulation are revoked.

7/99

**RÈGLEMENT DE L'ONTARIO 14/99
pris en application de la
LOI PORTANT RÉFORME DE
L'ENREGISTREMENT IMMOBILIER**

pris le 13 janvier 1999
déposé le 25 janvier 1999

modifiant le Règl. 688 des R.R.O. de 1990
(Documents)

Remarque : Le Règlement 688 a été modifié antérieurement. Ces modifications sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1997.

1. Les articles 2, 3, 4, 5, 6, 7, 8 et 9 du Règlement 688 des Règlements refondus de l'Ontario de 1990 sont abrogés.

2. Les formules 6, 7 et 8 du Règlement sont abrogées.

ONTARIO REGULATION 15/99
made under the
LAND REGISTRATION REFORM ACT

Made: January 20, 1999
Filed: January 25, 1999

Amending Reg. 688 of R.R.O. 1990
(Documents)

Note: Since the end of 1997, Regulation 688 has been amended by Ontario Regulation 14/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Section 1 of Regulation 688 of the Revised Regulations of Ontario, 1990 is revoked.

DAVID H. TSUBOUCHI
Minister of Consumer and Commercial Relations

Dated on January 20, 1999.

7/99

ONTARIO REGULATION 16/99
made under the
LAND REGISTRATION REFORM ACT

Made: January 20, 1999
Filed: January 25, 1999

AUTOMATED SYSTEM

AUTOMATED RECORDING AND PROPERTY MAPPING

1. All of Ontario is designated for the purpose of Part II of the Act.

ELECTRONIC REGISTRATION

2. In sections 3, 4 and 5,

“document” does not include a plan registered, submitted, made or deposited under the *Land Titles Act*.

3. (1) Subject to subsection (3), the land included within the boundaries of the land titles divisions specified in Column 1 of the Table is designated under clause 19 (a) of the Act as an area in which documents may be registered under the *Land Titles Act* in either an electronic format or a written form starting on the date specified opposite those divisions in Column 2 of the Table.

TABLE

ITEM	COLUMN 1	COLUMN 2
	Land Titles Division	Date
1.	Middlesex (No. 33)	January 25, 1999

(2) Subject to subsection (3), the land included within the boundaries of the land titles divisions specified in Column 1 of the Table is designated under clause 19 (c) of the Act as an area in which documents may not be registered under the *Land Titles Act* unless they are in an electronic format alone starting on the date specified opposite those divisions in Column 2 of the Table.

RÈGLEMENT DE L'ONTARIO 15/99
pris en application de la
LOI PORTANT RÉFORME DE
L'ENREGISTREMENT IMMOBILIER

pris le 20 janvier 1999
déposé le 25 janvier 1999

modifiant le Règl. 688 des R.R.O. de 1990
(Documents)

Remarque : Depuis la fin de 1997, le Règlement 688 a été modifié par le Règlement de l'Ontario 14/99. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1997.

1. L'article 1 du Règlement 688 des Règlements refondus de l'Ontario de 1990 est abrogé.

DAVID H. TSUBOUCHI
Ministre de la Consommation et du Commerce

Fait le 20 janvier 1999.

TABLE

ITEM	COLUMN 1	COLUMN 2
	Land Titles Division	Date

(3) If the electronic land registration database is not capable of receiving a document or group of documents by direct electronic transmission, the document or group of documents may not be registered in an electronic format but must be registered in written form.

4. (1) Despite section 24 of the Act, if a person submits a document for registration under the *Land Titles Act* in an electronic format and the document is required to include an affidavit, a declaration or any other written evidence, the evidence is not required to be in an electronic format.

(2) If the evidence mentioned in subsection (1) is a judgment or order that is not in an electronic format, it shall comply with subsection 17 (3) of Regulation 690 of the Revised Regulations of Ontario, 1990.

5. (1) If access to the electronic or imaged records or documents of a land registry office is not available for any reason and documents may be registered under the *Land Titles Act* in the office in an electronic format, the Director may authorize the land registrar to accept for registration copies of electronic documents delivered to the office in a format approved by the Director.

(2) When access to the electronic or imaged records or documents of the land registry office is restored, the land registrar shall register the copies mentioned in subsection (1) in an electronic format, in the manner specified by the Director, in the order in which they were received and before proceeding with any other registrations.

6. Ontario Regulation 440/95 is revoked.

DAVID H. TSUBOUCHI
Minister of Consumer and Commercial Relations

Dated on January 20, 1999.

7/99

ONTARIO REGULATION 17/99
made under the
LAND REGISTRATION REFORM ACT

Made: January 20, 1999
Filed: January 25, 1999

Amending O. Reg. 688 of R.R.O. 1990
(Documents)

Note: Since the end of 1997, Regulation 688 has been amended by Ontario Regulations 14/99 and 15/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. The title of Regulation 688 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

FORM OF DOCUMENTS

2. The Regulation is amended by adding the following sections:

1. In this Regulation,

“non-electronic format” means a format that is not an electronic format within the meaning of section 17 of the Act.

2. (1) A transfer submitted for registration under the *Land Titles Act* in a non-electronic format shall be in Form 1.

(2) A charge submitted for registration under the *Land Titles Act* in a non-electronic format shall be in Form 2.

(3) A discharge submitted for registration under the *Land Titles Act* in a non-electronic format shall be in Form 3.

(4) Every document submitted for registration under the *Land Titles Act* in a non-electronic format, other than a transfer, a charge, a discharge or a document referred to in section 3, shall be in Form 4 or shall be attached to a document in Form 4.

(5) A schedule attached to a document submitted for registration under the *Land Titles Act* in a non-electronic format in Form 1, 2, 3 or 4 may be in Form 5.

3. The following documents need not be in a form prescribed by this Regulation if they are submitted for registration under the *Land Titles Act* in a non-electronic format:

1. An instrument, including a notice, caution, certificate, order or direction, that is executed by the Director, the Director of Titles, the examiner of surveys appointed under section 14 of the *Land Titles Act* or a land registrar.

2. A Crown grant.

3. An application for the first registration of land under the *Land Titles Act*.

4. A declaration and description under the *Condominium Act*.

5. A plan.

4. If a document is attached to a document in Form 4, the document in Form 4 shall be executed by,

RÈGLEMENT DE L'ONTARIO 17/99
pris en application de la
LOI PORTANT RÉFORME DE
L'ENREGISTREMENT IMMOBILIER

pris le 20 janvier 1999
déposé le 25 janvier 1999

modifiant le Règl. 688 des R.R.O. de 1990
(Documents)

Remarque : Depuis la fin de 1997, le Règlement 688 a été modifié par les Règlements de l'Ontario 14/99 et 15/99. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1997.

1. Le titre du Règlement 688 des Règlements refondus de l'Ontario de 1990 est abrogé et remplacé par ce qui suit :

FORMULE DES DOCUMENTS

2. Le Règlement est modifié par adjonction des articles suivants :

1. La définition qui suit s'applique au présent règlement.

«forme non électronique» Forme qui n'est pas une forme électronique au sens de l'article 17 de la Loi.

2. (1) La cession présentée à l'enregistrement en vertu de la *Loi sur l'enregistrement des droits immobiliers* sous forme non électronique est rédigée selon la formule 1.

(2) La charge présentée à l'enregistrement en vertu de la *Loi sur l'enregistrement des droits immobiliers* sous forme non électronique est rédigée selon la formule 2.

(3) La mainlevée présentée à l'enregistrement en vertu de la *Loi sur l'enregistrement des droits immobiliers* sous forme non électronique est rédigée selon la formule 3.

(4) Est rédigé selon la formule 4 ou joint à un document rédigé selon cette formule tout document présenté à l'enregistrement en vertu de la *Loi sur l'enregistrement des droits immobiliers* sous forme non électronique, à l'exclusion d'une cession, d'une charge, d'une mainlevée ou d'un document visé à l'article 3.

(5) L'annexe jointe à un document rédigé selon la formule 1, 2, 3 ou 4 et présenté à l'enregistrement en vertu de la *Loi sur l'enregistrement des droits immobiliers* sous forme non électronique peut être rédigée selon la formule 5.

3. Il n'est pas nécessaire de rédiger les documents suivants selon une formule prescrite par le présent règlement s'ils sont présentés à l'enregistrement en vertu de la *Loi sur l'enregistrement des droits immobiliers* sous forme non électronique :

1. Un acte, notamment un avis, un avertissement, un certificat, un ordre ou une directive souscrits par le directeur, le directeur des droits immobiliers, l'inspecteur des arpentages nommé en vertu de l'article 14 de la *Loi sur l'enregistrement des droits immobiliers* ou un registrateur.

2. Une concession de la Couronne.

3. Une demande de premier enregistrement de bien-fonds présentée en vertu de la *Loi sur l'enregistrement des droits immobiliers*.

4. Une déclaration et une description fournies en vertu de la *Loi sur les condominiums*.

5. Un plan.

4. Le document rédigé selon la formule 4 auquel est joint un autre document est souscrit par l'une des personnes suivantes :

- (a) a party to the attached document; or
- (b) the party's solicitor or agent, identified as such.

- a) une partie au document joint;
- b) le procureur ou le représentant de la partie, dûment identifié comme tel.

IAN VEITCH
Director of Land Registration

IAN VEITCH
Directeur de l'enregistrement immobilier

Dated on January 20, 1999.

Fait le 20 janvier 1999.

7/99

ONTARIO REGULATION 18/99
made under the
LAND REGISTRATION REFORM ACT

Made: January 20, 1999
Filed: January 25, 1999

DOCUMENTS—GENERAL

DOCUMENTS

1. (1) The Director may issue instructions for the completion and execution of documents.

(2) The Director may approve a form prescribed by Regulation 688 of the Revised Regulations of Ontario, 1990.

(3) If the Director approves a form prescribed by Regulation 688 of the Revised Regulations of Ontario, 1990, a document in that form shall not be registered unless it is in the approved form.

STANDARD CHARGE TERMS

2. (1) A set of standard charge terms to be filed with the Director under subsection 8 (1) of the Act shall be in Form 1.

(2) On receiving a written request and payment of the required fee, if any, the land registrar shall, with respect to a set of standard charge terms filed under the Act,

- (a) produce the set for inspection in the land registry office during office hours; and
- (b) supply a copy of the set.

3. (1) A notice given by the Director under subsection 12 (1) of the Act shall provide that, on or after a day specified in the notice, no charge in favour of the chargee that sets out the terms specified in the notice shall be registered without the Director's authorization.

(2) The notice shall be given to the chargee by personal delivery or by being sent to the chargee at the address for service shown on the charge, by first class, registered or certified mail and, if given by mail, shall be deemed to have been received by the chargee on the fifth day after the date of mailing.

Form 1

Land Registration Reform Act

SET OF STANDARD CHARGE TERMS

Filed by
(name of person filing)

RÈGLEMENT DE L'ONTARIO 18/99
pris en application de la
**LOI PORTANT RÉFORME DE
L'ENREGISTREMENT IMMOBILIER**

pris le 20 janvier 1999
déposé le 25 janvier 1999

DOCUMENTS — DISPOSITIONS GÉNÉRALES

DOCUMENTS

1. (1) Le directeur peut donner des directives concernant la façon de remplir et de souscrire les documents.

(2) Le directeur peut approuver une formule prescrite par le Règlement 688 des Règlements refondus de l'Ontario de 1990.

(3) Si le directeur approuve une formule prescrite par le Règlement 688 des Règlements refondus de l'Ontario de 1990, le document visé doit être rédigé selon la formule approuvée pour être enregistré.

CLAUSES TYPES DE CHARGE

2. (1) La liste de clauses types de charge à déposer auprès du directeur en vertu du paragraphe 8 (1) de la Loi est rédigée selon la formule 1.

(2) Dès qu'il reçoit une demande écrite à cet effet et les droits prescrits, s'il y a lieu, le registrateur fait ce qui suit à l'égard de la liste de clauses types de charge déposée en vertu de la Loi :

- a) il en permet l'examen au bureau d'enregistrement immobilier pendant les heures d'ouverture;
- b) il en fournit une copie.

3. (1) L'avis que le directeur donne en vertu du paragraphe 12 (1) de la Loi prévoit qu'à compter d'une date précisée dans l'avis, aucune charge constituée au profit du titulaire et contenant les clauses précisées ne doit être enregistrée sans l'autorisation du directeur.

(2) L'avis est remis en personne au titulaire d'une charge ou lui est envoyé au domicile élu figurant sur la charge, par courrier de première classe, par courrier recommandé ou par poste certifiée. S'il est envoyé par la poste, il est réputé reçu par le titulaire le cinquième jour suivant la date de la mise à la poste.

Formule 1

Loi portant réforme de l'enregistrement immobilier

LISTE DE CLAUSES TYPES DE CHARGE

Déposée par
(nom de la personne qui dépose la liste)

The following set of standard charge terms shall be deemed to be included in every charge in which the set is referred to by its filing number, as provided in section 9 of the Act.

.....
(List terms, numbered consecutively)

Dated

.....
Signature of person filing or of authorized signing officer

La liste suivante de clauses types de charge est réputée comprise dans toute charge qui renvoie à cette liste identifiée par sa cote, comme le prévoit l'article 9 de la Loi.

.....
(Indiquer les clauses, en les numérotant consécutivement)

Fait le

.....
Signature de la personne qui dépose la liste ou
de l'agent autorisé à signer

DAVID H. TSUBOUCHI
Minister of Consumer and Commercial Relations
Ministre de la Consommation et du Commerce

Dated on January 20, 1999.
Fait le 20 janvier 1999.

7/99

ONTARIO REGULATION 19/99 made under the LAND REGISTRATION REFORM ACT

Made: January 20, 1999
Filed: January 25, 1999

ELECTRONIC REGISTRATION

1. In this Regulation,

"document" does not include a plan registered, submitted, made or deposited under the *Land Titles Act*;

"electronic registration" means registration under the *Land Titles Act* in an electronic format.

2. (1) No person shall submit a document for electronic registration until having obtained a registration account number or other authorization from the land registrar of the land registry office where the person submits the document or a person authorized by the Director.

(2) No person shall search records of a land registry office maintained in an electronic format until having obtained a search account number or other authorization from the land registrar or a person authorized by the Director.

3. Subject to section 25 of the Act and section 4 of Ontario Regulation 16/99, a person submitting an electronic document for electronic registration shall deliver it to the electronic land registration database by direct electronic transmission.

4. A document submitted for electronic registration shall contain,

- (a) the date that the preparation of the document was completed;
- (b) the date that the land registrar received the document for registration;
- (c) a legal description of the land affected by the document that complies with section 142 of the *Land Titles Act*;
- (d) the names of the parties to the document;

- (e) an address for service, including the postal code, for the person claiming or obtaining an interest under the document or for the person's solicitor;
- (f) the name, address, telephone number and fax transmission number of the person who prepared the document;
- (g) the name, address, telephone number and fax transmission number of the person who submitted the document;
- (h) a municipal address, if any, for the land affected by the document;
- (i) if the document is made by an attorney, a statement by the attorney that, to the best of the attorney's knowledge and belief,
 - (i) the principal was at least 18 years old and had the legal capacity to give the power of attorney when giving it, and
 - (ii) the power is in full force and effect;
- (j) if the document is made by a corporation, a statement by the person acting for the corporation that the person is authorized to bind the corporation;
- (k) the type, registration number and date of registration of every other document that no longer affects or will cease to affect the land affected by the document after the registration of the document;
- (l) the information set out in sections 5 to 43; and
- (m) all other information that the Director considers necessary to,
 - (i) establish the interest claimed by the parties to the document,
 - (ii) ensure that the parties to the document have complied with this Act, the *Land Titles Act* and any other Act dealing with the title to or interests in land affected by the document, and
 - (iii) enable the proper maintenance of the records of the land registry office for the land affected by the document.

5. In addition to the matters set out in section 4, a transfer submitted for electronic registration shall contain,

- (a) a statement of the consideration for which it was made;

- (b) a statement of the interest or estate transferred;
- (c) a statement that the transferor transfers the land that it affects;
- (d) unless the transferor is a corporation, a statement by the transferor that the transferor is at least 18 years old;
- (e) unless the transferor is a corporation, a statement of spousal status under the *Family Law Act* by the transferor;
- (f) unless the transferee is a corporation, the date of birth of the transferee; and
- (g) a statement of residence and value of the consideration under the *Land Transfer Tax Act*.

6. In addition to the matters set out in section 4, a charge submitted for electronic registration shall contain,

- (a) a statement of the principal amount or other obligation secured by the charge;
- (b) the rate of interest and periods of payment under the charge;
- (c) the due date of the charge or a statement that the charge is payable on demand, whichever is the case;
- (d) a statement of the interest or estate charged;
- (e) the filing number of standard charge terms included in the charge, if any;
- (f) a statement that the chargor charges the land that it affects;
- (g) unless the chargor is a corporation, a statement by the chargor that the chargor is at least 18 years old;
- (h) unless the chargor is a corporation, a statement of spousal status under the *Family Law Act* by the chargor; and
- (i) a statement that the chargor acknowledges receipt of a copy of the charge.

7. In addition to the matters set out in section 4, a discharge of charge or other interest submitted for electronic registration shall contain,

- (a) the registration number and date of registration of the charge or other interest to be discharged; and
- (b) a statement that the discharge discharges the charge or other interest, as the case may be.

8. In addition to the matters set out in section 4, a document submitted for electronic registration, other than a transfer, charge or discharge, shall contain,

- (a) a statement of the type of the document;
- (b) a statement of the consideration, if any, for which it was made;
- (c) statements setting out the effect of the document;
- (d) the registration number and date of registration of the other documents, if any, to which the document relates;

- (e) a statement that the document will cease to affect the land that the document affects when a related document or documents are discharged, if that is the case;
- (f) the expiry date, if any, of the interest in land affected by the document; and
- (g) a statement of residence and value of the consideration under the *Land Transfer Act*, if required under that Act.

9. In addition to the matters set out in sections 4 and 8, if an application for a caution against first registration is submitted for electronic registration, it shall contain a statement that the applicant is entitled to object to any disposition of the land without the applicant's consent.

10. In addition to the matters set out in sections 4 and 8, if a withdrawal of a caution against first registration is submitted for electronic registration, it shall contain a statement authorizing the land registrar to withdraw the caution as to the land described.

11. In addition to the matters set out in sections 4 and 8, a certificate of withdrawal of land from the *Land Titles Act* submitted for electronic registration shall contain,

- (a) a description of the land withdrawn from registration under the *Land Titles Act*; and
- (b) the particulars of the encumbrances affecting the land on the date of the registration of the certificate.

12. In addition to the matters set out in sections 4 and 8, an application to register a trustee in bankruptcy submitted for electronic registration shall contain,

- (a) the assignment or order appointing the trustee under the *Bankruptcy and Insolvency Act* (Canada); or
- (b) the date and court file number of the assignment or order.

13. In addition to the matters set out in sections 4 and 8, a survivorship application submitted for electronic registration shall contain,

- (a) the name of the deceased joint tenant;
- (b) proof of death of the deceased satisfactory to the land registrar; and
- (c) a statement by the applicant that the land affected by the application is not subject to any spousal right under the *Family Law Act* with respect to the deceased.

14. In addition to the matters set out in sections 4 and 8, a transmission application by an estate trustee, executor or administrator that is submitted for electronic registration shall contain,

- (a) the name and date of death of the owner;
- (b) one of the following:
 1. The certificate of appointment, or order confirming the appointment, of the applicant as estate trustee, executor or administrator, as the case may be.
 2. The date and court file number of the certificate or order.
 3. Proof satisfactory to the Director of Titles that the value of the estate is less than \$50,000; and
- (c) the evidence described in subsection 36 (2) of Regulation 690 of the Revised Regulations of Ontario, 1990 or all of the following statements:

1. A statement that the land affected by the application is not subject to debts of the deceased, if that is the case.
2. A statement that the applicant as estate trustee, executor or administrator, as the case may be, is entitled by law to be registered as owner.

15. In addition to the matters set out in sections 4 and 8, a transmission application by a devisee or heir at law submitted for electronic registration shall contain,

- (a) the name and proof of death of the owner satisfactory to the land registrar; and
- (b) the evidence described in subsection 36 (2) of Regulation 690 of the Revised Regulations of Ontario, 1990 or all of the following statements:

1. A statement by the applicant that the land affected by the application is not subject to any spousal right under the *Family Law Act* with respect to the deceased.
2. A statement that the land affected by the application is not subject to debts of the deceased, if that is the case.
3. A statement that the land affected by the application has vested in the applicant.

16. In addition to the matters set out in sections 4 and 5 except for clause 5 (e), a transfer by an estate trustee, executor or administrator that is submitted for electronic registration shall contain,

- (a) a statement that the transferor is entitled to transfer the land affected by the document under the terms of the will, if any, the *Estates Administration Act* and the *Succession Law Reform Act*;
- (b) a statement by the transferor that the land affected by the application is not subject to any spousal right under the *Family Law Act* with respect to the deceased;
- (c) a statement that the transferor has obtained the consent of all required parties or that no consents are required; and
- (d) a statement that the land affected by the transfer is not subject to debts of the deceased, if that is the case.

17. In addition to the matters set out in sections 4 and 5, a transfer by a devisee or heir at law submitted for electronic registration shall contain a statement that the transferee is not aware of any specific debts of the deceased, if that is the case.

18. In addition to the matters set out in sections 4 and 5, a transfer by a trustee in bankruptcy submitted for electronic registration shall contain a statement that the trustee is authorized under the *Bankruptcy and Insolvency Act* (Canada) to transfer the land affected by the transfer.

19. In addition to the matters set out in sections 4 and 8, if an application to register a chargee as owner under a foreclosure order is submitted for electronic registration, it shall contain,

- (a) the order or the date and court file number of the order;
- (b) a statement that the order is still in full force and effect;
- (c) a statement that the chargee is entitled to be registered as owner under the order;

(d) the date of birth of the chargee;

(e) a statement identifying the instruments to be deleted from the parcel register as set out in the order by instrument number and date of registration;

(f) a statement identifying execution creditors foreclosed in the order by name and writ number; and

(g) a statement of spousal status under the *Family Law Act* with respect to every person who is foreclosed in the order and whose spouse is not specifically foreclosed in the order.

20. In addition to the matters set out in sections 4 and 5, a transfer under power of sale submitted for electronic registration shall contain,

(a) the registration number and date of registration of the charge; and

(b) the evidence described in subsection 30 (2) of Regulation 690 of the Revised Regulations of Ontario, 1990 or all of the following statements:

1. A statement that the sale is authorized under the charge and the *Mortgages Act*.
2. A statement that the charge was in default at the time notice of sale was given and continues to be in default and that money has been advanced under the charge.
3. A statement that the sale proceedings and transfer comply with the charge, the *Mortgages Act* and if applicable the *Bankruptcy and Insolvency Act* (Canada), the *Condominium Act*, the *Construction Lien Act* and the *Farm Debt Review Act* (Canada).
4. A statement identifying the instruments by instrument number and date of registration and the writs of execution by name and writ number that rank subsequent to the charge and that are to be deleted from the parcel register as a result of the registration of the transfer.
5. A statement of spousal status under the *Family Law Act* with respect to every person whose spouse was not served with a notice under the *Mortgages Act* and whose interest is to be deleted on the registration of the transfer.

21. In addition to the matters set out in sections 4 and 8, a transfer of charge submitted for electronic registration shall contain,

- (a) the registration number and date of registration of the charge;
- (b) a statement that the document transfers the charge; and
- (c) a statement of the consideration given for the transfer.

22. In addition to the matters set out in sections 4 and 8, a postponement of interest submitted for electronic registration shall contain,

- (a) the registration number and date of registration of the instrument that contains the interest being postponed and the registration number and date of registration of the instrument that contains the interest to which it is postponed; and
- (b) a statement that the document postpones the interest.

23. In addition to the matters set out in sections 4 and 8, a notice under section 71 of the *Land Titles Act* submitted for electronic registration shall contain the information that the Director requires or,

(a) a statement confirming that the interest is or affects a valid and existing estate, right, interest or equity in the land described in the notice; and

(b) a statement that,

(i) the notice will be effective for an indeterminate time,

(ii) the land registrar is authorized to delete the notice after a specified date or period of time has passed or after specified documents have been deleted, or

(iii) the land registrar is authorized to delete the notice on the consent of specified parties.

24. (1) In addition to the matters set out in sections 4 and 8, if a caution with respect to an agreement of purchase and sale, a caution with respect to an assignment or renewal of an agreement of purchase and sale, a notice of option or a notice of assignment or renewal of an option is submitted for electronic registration, it shall include a complete copy of the agreement or the document creating the option, as the case may be, or shall contain,

(a) the date of the agreement or the document creating the option, as the case may be;

(b) the date that the sale is or was to be completed or the date that the option expires or expired, as the case may be;

(c) a statement of the provisions, if any, that the agreement or the document creating the option, as the case may be, includes for renewal or extension; and

(d) a statement that the applicant,

(i) within 14 days of receiving a request, will produce the agreement, the document creating the option, the assignment or the renewal, as the case may be, for inspection by any person, and

(ii) consents to the cancellation of the notice on presentation of proof satisfactory to the land registrar that the applicant, on request, did not produce the agreement, the document creating the option, the assignment or the renewal, as the case may be.

(2) In addition to subsection (1), if the agreement or the option has been assigned or renewed, the notice mentioned in that subsection shall contain a statement of the registration number of the notice of the agreement or option, as the case may be, that has been assigned or renewed, as the case may be.

25. (1) In addition to the matters set out in sections 4 and 8, if a notice of lease or interest in a lease is submitted for electronic registration, it shall include a complete copy of the lease or interest, as the case may be, or shall contain,

(a) particulars of the type of interest, the term and the expiry date of the lease or interest, as the case may be;

(b) a statement of the provisions, if any, the lease or interest, as the case may be, includes for a right or option to purchase or for renewal or extension; and

(c) a statement that the applicant,

(i) within 14 days of receiving a request, will produce the lease or the document creating the interest, as the case may be, for inspection by any person, and

(ii) consents to the cancellation of the notice on presentation of proof satisfactory to the land registrar that the applicant, on request, did not produce the lease or the document creating the lease, as the case may be.

(2) In addition to subsection (1), if a notice of determination of lease is submitted for electronic registration, the notice mentioned in that subsection shall contain,

(a) the registration number and date of registration of the notice of lease; and

(b) a statement that the lease has been determined.

26. In addition to the matters set out in sections 4 and 8, if a notice of compliance with a subdivision agreement is submitted for electronic registration, it shall contain,

(a) the registration number and date of registration of the subdivision agreement; and

(b) a statement that there has been compliance with the agreement or specified terms of the agreement, as the case may be.

27. In addition to the matters set out in sections 4 and 8, a power of attorney submitted for electronic registration shall contain,

(a) the name of the person or the title of the office holder appointed under the power;

(b) a statement that the attorney is entitled to make statements of spousal status under the *Family Law Act* on behalf of the donor; and

(c) a statement that the giving of the power has been witnessed in accordance with the *Substitute Decisions Act*, if the power is given under that Act.

28. In addition to the matters set out in sections 4 and 8, if an application to register an order or by-law is submitted for electronic registration, it shall contain,

(a) in the case of an order, a statement by the applicant that the order affects land or an interest in land;

(b) the name of the court, authority or municipality that made the order or by-law, as the case may be, and its file number;

(c) the date of the order or by-law, as the case may be; and

(d) a statement that the order or by-law, as the case may be, is still in full force and effect.

29. In addition to the matters set out in sections 4 and 8, a plan document submitted for electronic registration shall contain,

(a) the name of the surveyor who prepared the plan and its date; and

(b) the consents that are required to register the plan.

30. In addition to the matters set out in sections 4 and 8, if an application to amend the register based on a court order is submitted for electronic registration, it shall contain,

(a) the order or the date and court file number of the order;

(b) a statement setting out the amendment requested and authorized by the order; and

(c) a statement that the order is in full force and effect.

31. In addition to the matters set out in sections 4 and 8, if an application to change a name in the register is submitted for electronic registration, it shall contain,

- (a) the name to be entered in the register; and
- (b) a statement of the authority for the change of name, including the registration number of the document, if any, that sets out the authority.

32. In addition to the matters set out in sections 4 and 8, a notice of change of address for service submitted for electronic registration shall contain,

- (a) except for a change of address for service of an owner of land, the registration number of the document that contains the address to be changed; and
- (b) full particulars of the new address for service, including the postal code.

33. (1) In addition to the matters set out in sections 4 and 8, if an application to delete a claim for a construction lien is submitted for electronic registration, it shall contain,

- (a) the registration number of the claim for lien;
- (b) if a certificate of action has been registered, the registration number of the certificate of action and a statement that,
 - (i) no other claims for a lien have been registered, or
 - (ii) no other registered claims for a lien are sheltered under the certificate;
- (c) evidence satisfactory to the land registrar that the claim for lien does not affect the land described in the application; and
- (d) if the evidence mentioned in clause (c) includes a court order described in clause (2) (c), a statement that the order is in full force and effect.

(2) The evidence mentioned in clause (1) (c) shall be in the form of,

- (a) a statement by the lien claimant that the lien claimant has released the claim for lien;
- (b) a statement that the lien has expired because no certificate of action has been registered within the required period under the *Construction Lien Act*; or
- (c) the court order that discharges or releases the claim for lien or the date and court file number of the order.

34. (1) In addition to the matters set out in sections 4 and 8, if an application to delete a writ of execution is submitted for electronic registration, it shall contain,

- (a) particulars of the writ to be deleted including the number, amount and names of the parties to the writ set out in full; and
 - (b) evidence that the writ does not affect the land described in the application.
- (2) The evidence mentioned in clause (1) (b) shall be in the form of,
- (a) a complete, unconditional and unqualified release from the execution creditor;

(b) a statement by the solicitor for the applicant that the execution debtor has obtained a complete, unconditional and unqualified release from the execution creditor;

(c) a statement by the solicitor for the applicant that the registered owner of the land immediately before the land registrar recorded the writ against the land is not the execution debtor;

(d) a statement by the applicant that the registered owner of the land immediately before the land registrar recorded the writ against the land is not the execution debtor, if the writ of execution is for an amount of less than \$50,000; or

(e) a statement by the applicant that the writ of execution,

(i) has expired and has not been renewed,

(ii) has been discharged or withdrawn, or

(iii) describes land other than the land affected by the application.

35. In addition to the matters set out in sections 4 and 8, if an application to consolidate parcels is submitted for electronic registration, it shall contain,

- (a) the property identifier mentioned in subsection 141 (2) of the *Land Titles Act*, if any, of the parcels to be consolidated; and
- (b) the proposed description for the parcels to be consolidated.

36. In addition to the matters set out in sections 4 and 8, if an application to register or renew a caution is submitted for electronic registration, it shall contain,

- (a) a description of the interest that entitles the applicant to register or renew the caution, as the case may be; and
- (b) the registration number and date of registration of the caution, in the case of a renewal.

37. In addition to the matters set out in sections 4 and 8, if a cautioner submits a withdrawal of a caution for electronic registration, it shall contain a statement by the cautioner or the solicitor for the cautioner authorizing the land registrar to withdraw the caution.

38. In addition to the matters set out in sections 4 and 8, if an owner submits a removal of a caution for electronic registration, it shall contain a statement by the owner or solicitor for the owner setting out the grounds for removing the caution.

39. In addition to the matters set out in sections 4 and 8, if an application for an inhibiting order is submitted for electronic registration, it shall contain a statement that the inhibition will expire on a specified date, after specified documents have been registered or after a specified event has occurred.

40. (1) No person other than a person who is entitled to practise law in Ontario as a solicitor shall make the statements mentioned in sections 14, 15, 19 and 20, subsection 25 (2), clause 28 (d), section 30, subclause 33 (1) (b) (ii) and subclauses 34 (2) (b) and (c).

(2) A person who makes a statement mentioned in subsection (1) that is a statement of fact shall make it on the advice of the party to the document containing the statement who has knowledge of the fact.

(3) For the purpose of subsections 57(1) and (12) of the *Land Titles Act*, a person who is entitled to practise law in Ontario as a solicitor and who makes a statement in a document mentioned in this Regulation that is registered under that Act shall be deemed not to be the person on whose application the registration was made.

(4) A document prepared by a person on behalf of a party or a document transcribed under section 25 of the Act shall be deemed to have been made by the party.

41. The Director may require that a land registrar assign a series of registration numbers to documents registered in an electronic format under the *Land Titles Act* that is separate from the series of registration numbers assigned to documents registered under that Act that are not in an electronic format.

IAN VEITCH
Director of Land Registration

Dated on January 20, 1999.

7/99

ONTARIO REGULATION 20/98
made under the
REGISTRY ACT

Made: January 13, 1999
Filed: January 25, 1999

Amending Reg. 995 of R.R.O. 1990
(Forms and Records)

Note: Regulation 995 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Sections 1 to 17 of Regulation 995 of the Revised Regulations of Ontario, 1990 are revoked.

2. Sections 24, 25 and 26 of the Regulation are revoked.

3. Subsections 28 (1) and (2) of the Regulation are revoked.

4. Subsections 30 (1), (2), (3), (4) and (5) of the Regulation are revoked.

5. Section 31 of the Regulation is revoked.

6. Subsection 33 (1) of the Regulation is revoked.

7. Sections 34, 35, 36, 37 and 38 of the Regulation are revoked.

8. Section 40 of the Regulation is revoked.

9. Sections 43, 44, 45, 46 and 47 of the Regulation are revoked.

10. Section 49 of the Regulation is revoked.

11. Sections 50, 51 and 52 of the Regulation are revoked.

12. Sections 54, 55 and 56 of the Regulation are revoked.

13. Schedule 1 to the Regulation is revoked.

14. Forms 2, 3, 4, 9, 16, 17, 19, 20, 22, 24, 25, 26, 27, 29 and 30 of the Regulation are revoked.

ONTARIO REGULATION 21/99
made under the
REGISTRY ACT

Made: January 20, 1999
Filed: January 25, 1999

**REGISTRATION OF INSTRUMENTS AND
DEPOSIT OF DOCUMENTS IN FRENCH**

1. (1) The following registry divisions are designated for the purposes of section 44 of the Act:

Algoma (No. 1)	Ottawa-Carleton (No. 5)
Cochrane (No. 6)	Peel (No. 43)
Dundas (No. 8)	Prescott (No. 46)
Essex (No. 12)	Renfrew (No. 49)
Glengarry (No. 14)	Russell (No. 50)
Kenora (No. 23)	Simcoe (No. 51)
Kent (No. 24)	Stormont (No. 52)
Metropolitan Toronto (No. 64)	Sudbury (No. 53)
Middlesex (No. 33)	Thunder Bay (No. 55)
Niagara South (No. 59)	Timiskaming (No. 54)
Nipissing (No. 36)	Wentworth (No. 62)

(2) The following Acts are designated for the purpose of subsection 44 (4) of the Act:

Certification of Titles Act
Condominium Act
Construction Lien Act
Estates Administration Act
Family Law Act
Land Registration Reform Act
Land Transfer Tax Act
Municipal Tax Sales Act
Personal Property Security Act
Powers of Attorney Act
Substitute Decisions Act, 1992

(3) Despite section 43 of the Act, if a form is prescribed in the English language for an instrument, deposit or any related attachment but no form is prescribed in the French language and the land registrar is of the opinion that a translation of the form in the French language presented for registration or deposit is an accurate translation of the form prescribed in the English language, the French translation is a prescribed form for the purposes of the Act and the regulations.

(4) Despite subsection (1), all registry divisions are designated for the purposes of section 44 of the Act if the instrument to be registered or document to be deposited is the bilingual version of Form 1, 2, 3, 4 or 5 of Regulation 688 of the Revised Regulations of Ontario, 1990.

(5) If the instrument to be registered or the document to be deposited is the bilingual version of Form 1, 2, 3, 4 or 5 of Regulation 688 of the Revised Regulations of Ontario, 1990 and words have been added to the instrument or document and the land registrar is of the opinion that all the words that have been added appear in both the English and French languages, the instrument may be registered or the document may be deposited.

DAVID H. TSUBOUCHI
Minister of Consumer and Commercial Relations

Dated on January 20, 1999.

7/99

ONTARIO REGULATION 22/99
made under the
REGISTRY ACT

Made: January 20, 1999
Filed: January 25, 1999

FORMS

1. A certificate of discharge under subsection 56 (1), section 62, subsection 65 (2) or section 66 of the Act shall be in Form 3 of Regulation 688 of the Revised Regulations of Ontario, 1990.

IAN VEITCH
Director of Land Registration

Dated on January 20, 1999.

7/99

ONTARIO REGULATION 23/99
made under the
LAND TITLES ACT

Made: January 13, 1999
Filed: January 25, 1999

Amending Reg. 690 of R.R.O. 1990
(Forms, Records and Procedures)

Note: Regulation 690 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. (1) Subsection 5 (1) of Regulation 690 of the Revised Regulations of Ontario, 1990 is revoked.

(2) Subsection 5 (6) of the Regulation is revoked.

2. Section 13 of the Regulation is revoked.

3. Subsections 14 (1) and (2) of the Regulation are revoked.

4. Section 15 of the Regulation is revoked.

5. Subsections 16 (1) and (2) of the Regulation are revoked.

6. (1) Subsection 17 (1) of the Regulation is revoked.

(2) Subsection 17 (3) of the Regulation is revoked.

7. Sections 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 and 29 of the Regulation are revoked.

8. Subsections 30 (1) and (2) of the Regulation are revoked.

9. Sections 32, 33 and 34 of the Regulation are revoked.

10. Subsection 36 (1) of the Regulation is revoked.

11. Section 37 of the Regulation is revoked.

12. Section 39 of the Regulation is revoked.

13. (1) Subsections 42 (1) and (2) of the Regulation are revoked.

(2) Subsection 42 (4) of the Regulation is revoked.

14. Section 45 of the Regulation is revoked.

15. Sections 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58 and 59 of the Regulation are revoked.

16. Sections 61 and 62 of the Regulation are revoked.

17. Forms 17, 19, 20, 21, 23, 24, 27, 29 and 47 of the Regulation are revoked.

7/99

ONTARIO REGULATION 24/99
made under the
LAND TITLES ACT

Made: January 20, 1999
Filed: January 25, 1999

Amending Reg. 690 of R.R.O. 1990
(Forms, Records and Procedures)

Note: Since the end of 1997, Regulation 690 has been amended by Ontario Regulation 23/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Subsection 1 (1) of Regulation 690 of the Revised Regulations of Ontario, 1990 is amended by adding the following definitions:

"electronic format" means an electronic format within the meaning of section 17 of the *Land Registration Reform Act*;

"non-electronic format" means a format that is not an electronic format within the meaning of section 17 of the *Land Registration Reform Act* and includes a written form.

2. Section 18 of the Regulation is amended by inserting "that is submitted for registration in a non-electronic format" after "Act" in the first line.

DAVID H. TSUBOUCHI
Minister of Consumer and Commercial Relations

Dated on January 20, 1999.

7/99

ONTARIO REGULATION 25/99
made under the
LAND TITLES ACT

Made: January 20, 1999
Filed: January 25, 1999

Amending Reg. 690 of R.R.O. 1990
(Forms, Records and Procedures)

Note: Since the end of 1997, Regulation 690 has been amended by Ontario Regulations 23/99 and 24/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. (1) Subsection 38 (1) of Regulation 690 of the Revised Regulations of Ontario, 1990 is amended by inserting "that is submitted

for registration in a non-electronic format" after "Act" in the second line.

(2) Subsection 38 (2) of the Regulation is amended by striking out "Form 45" in the fifth line.

(3) Section 38 of the Regulation is amended by adding the following subsection:

(3) An application mentioned in subsection (2) that is submitted for registration in a non-electronic format shall be in Form 45.

2. Subsection 41 (2) of the Regulation is amended by striking out "in Form 47" in the fifth line.

IAN VEITCH
Director of Land Registration

Dated on January 20, 1999.

7/99

ONTARIO REGULATION 26/99
made under the
LAND TITLES ACT

Made: January 20, 1999
Filed: January 25, 1999

GENERAL

1. In this Regulation,

"electronic format" means an electronic format within the meaning of section 17 of the *Land Registration Reform Act*;

"non-electronic format" means a format that is not an electronic format within the meaning of section 17 of the *Land Registration Reform Act* and includes a written form.

2. (1) An application for the registration of a caution against first registration under subsection 43 (1) of the Act that is submitted for registration in a non-electronic format shall be supported by an affidavit in Form 34 of Regulation 690 of the Revised Regulations of Ontario, 1990.

(2) A withdrawal of a caution against first registration that is submitted for registration in a non-electronic format shall be supported by an affidavit in Form 19 of Regulation 690 of the Revised Regulations of Ontario, 1990 except if the withdrawal is signed on behalf of the cautioner by the cautioner's solicitor.

3. (1) The following land titles divisions are designated for the purposes of section 85 of the Act:

Algoma (No. 1)	Ottawa-Carleton (No. 4)
Cochrane (No. 6)	Peel (No. 43)
Essex (No. 12)	Prescott (No. 46)
Kenora (No. 23)	Russell (No. 50)
Kent (No. 24)	Simcoe (No. 51)
Metropolitan Toronto (No. 66)	Sudbury (No. 53)
Middlesex (No. 33)	Thunder Bay (No. 55)
Niagara South (No. 59)	Timiskaming (No. 54)
Nipissing (No. 36)	Wentworth (No. 62)

(2) The following Acts are designated for the purpose of the definition of "prescribed form" in subsection 85 (3) of the Act:

Certification of Titles Act
Condominium Act
Construction Lien Act
Estates Administration Act
Family Law Act
Land Registration Reform Act
Land Transfer Tax Act
Municipal Tax Sales Act
Personal Property Security Act
Powers of Attorney Act
Substitute Decisions Act, 1992

4. (1) If an application to amend the register under subsection 69 (1) or section 75 of the Act or under any other section of the Act under which no form is prescribed is submitted for registration in a non-electronic format, it shall,

- (a) refer to the section of the Act under which the application is made; and
- (b) be supported by the documentary evidence, if any, upon which the applicant relies.

(2) If the application is based on a judgment or order of a court or judge, the documentary evidence mentioned in clause (1) (b) shall be in the form of,

- (a) the original judgment or order;
- (b) a copy certified by the court;
- (c) a certificate certified by the court setting out the substance and effect of the judgment or order; or
- (d) a notarial copy of the original, certified copy or certificate.

(3) If the application is based on a judgment or order of a court or judge, it shall be supported by an affidavit of a solicitor deposing that,

- (a) the judgment or order is still in full force and effect and has not been stayed; and
- (b) the judgment or order affects or relates to the land referred to in the application, unless the land is unambiguously identified in the judgment or order as being the land described in the register.

(4) If the application is based on a judgment or final order of foreclosure on a charge or mortgage, it shall include a registerable description of the land and the registration number of the charge or mortgage.

(5) If the application is based on an order discharging or vacating a construction lien or vacating a certificate of action under the *Construction Lien Act*, it shall include a registerable description of the land and the registration number of every registered claim for lien and certificate of action affected by the order.

5. (1) Except as provided in section 4, an application to register a judgment or order affecting or relating to registered land that is submitted for registration in a non-electronic format shall not be registered unless accompanied by an application in Form 18 of Regulation 690 of the Revised Regulations of Ontario, 1990.

(2) An application to which subsection (1) applies shall be supported by an affidavit of a solicitor deposing that the judgment or order,

(a) is still in full force and effect and has not been stayed; and

(b) affects or relates to the land referred to in the application.

(3) A judgment or order shall not be registered unless it is in the form of,

(a) the original judgment or order;

(b) a copy certified by the court;

(c) a certificate certified by the court setting out the substance and effect of the judgment or order; or

(d) a notarial copy of the original, certified copy or certificate.

6. An instrument that is executed under a power of attorney and that is submitted for registration in a non-electronic format shall not be registered unless the attorney states in the instrument that, to the best of the attorney's knowledge and belief,

(a) the principal was at least 18 years old and had the legal capacity to give the power of attorney when giving it; and

(b) the power is in full force and effect.

7. A transfer of freehold land under subsection 86 (1) of the Act or a transfer of leasehold land under subsection 105 (1) of the Act shall comply with the requirements for the registration of a transfer under the *Land Registration Reform Act*.

8. A charge under section 93 of the Act shall comply with the requirements for the registration of a charge under the *Land Registration Reform Act*.

9. (1) A cessation of charge under section 102 of the Act, a discharge of mortgage under section 103 of the Act or a discharge of any other encumbrance or interest shall not discharge more than one charge, mortgage or other interest.

(2) A cessation of charge under section 102 of the Act, a discharge of mortgage under section 103 of the Act or a discharge of any other encumbrance or interest shall comply with the requirements for the registration of a discharge under the *Land Registration Reform Act*.

(3) If the registered owner of the land submits an application to register in a non-electronic format a cessation of a registered charge under subsection 102 (1) of the Act, the application shall be supported by,

(a) a receipt or such other evidence of payment as is acceptable to the land registrar; and

(b) the affidavit of the applicant attesting to full payment.

10. A transfer of an interest in land by a chargee under section 99 of the Act or under Part II of the *Mortgages Act* that is submitted for registration in a non-electronic format shall state that,

(a) the transfer is given under a power of sale contained in the charge or under Part II of the *Mortgages Act*, as the case may be; and

(b) the sale complies with the charge and the *Mortgages Act*.

11. An application to renew a caution registered under section 128 of the Act that is submitted for registration in a non-electronic format shall be supported by an affidavit in Form 36 of Regulation 690 of the Revised Regulations of Ontario, 1990.

12. A withdrawal of a caution that is submitted for registration under subsection 129 (7) of the Act in a non-electronic format shall be supported by an affidavit in Form 19 of Regulation 690 of the Revised Regulations of Ontario, 1990 except if the cautioner's solicitor has signed the withdrawal on behalf of the cautioner.

13. A survivorship application under section 123 of the Act that is submitted for registration in a non-electronic format shall be supported by an affidavit in Form 43 of Regulation 690 of the Revised Regulations of Ontario, 1990.

14. (1) If a notice is required by the Act or by Regulation 690 of the Revised Regulations of Ontario, 1990 to be served by the Director of Titles or by a land registrar, the notice may, with the consent of the Director of Titles or of the land registrar, be served by the solicitor for the party interested in service if,

(a) the Director of Titles or the land registrar, as the case may be, has signed the original form of the notice; and

(b) an affidavit attesting to the service is filed with the Director of Titles or the land registrar, as the case may be.

(2) A notice served by or on behalf of the Director of Titles or the land registrar may be served by electronic transmission, and if so sent, shall be deemed to be received on the day following the date of electronic transmission that the land registry office is open under section 18 of the Act.

DAVID H. TSUBOUCHI

Minister of Consumer and Commercial Relations

Dated on January 20, 1999.

7/99

ONTARIO REGULATION 27/99 made under the LAND TITLES ACT

Made: January 20, 1999

Filed: January 25, 1999

FORMS

1. In this Regulation,

"electronic format" means an electronic format within the meaning of section 17 of the *Land Registration Reform Act*;

"non-electronic format" means a format that is not an electronic format within the meaning of section 17 of the *Land Registration Reform Act* and includes a written form.

2. An application under subsection 38 (6) of the Act shall be in Form 51 of Regulation 690 of the Revised Regulations of Ontario, 1990.

3. (1) An application for the registration of a caution against first registration under subsection 43 (1) of the Act that is submitted for registration in a non-electronic format shall be in Form 9 of Regulation 690 of the Revised Regulations of Ontario, 1990.

(2) A withdrawal of a caution against first registration that is submitted for registration in a non-electronic format shall be in Form 11 of Regulation 690 of the Revised Regulations of Ontario, 1990.

4. An application to amend the register under subsection 69 (1) or section 75 of the Act or under any other section of the Act under which no form is prescribed that is submitted for registration in a non-electronic format shall be in Form 15 of Regulation 690 of the Revised Regulations of Ontario, 1990.

5. An application to register a notice under section 71 of the Act that is submitted for registration in a non-electronic format shall be in Form 16 of Regulation 690 of the Revised Regulations of Ontario, 1990 or a form approved by the Director of Titles.

6. A transfer of charge under subsection 101 (1) or (6) of the Act that is submitted for registration in a non-electronic format shall be in Form 25 of Regulation 690 of the Revised Regulations of Ontario, 1990.

7. A postponement under subsection 78 (6) of the Act that is submitted for registration in a non-electronic format shall be in Form 26 of Regulation 690 of the Revised Regulations of Ontario, 1990.

8. If the registered owner of the land submits an application to register in a non-electronic format a cessation of a registered charge under subsection 102 (1) of the Act, the application shall be in Form 28 of Regulation 690 of the Revised Regulations of Ontario, 1990.

9. Subject to section 82 of the Act, a discharge to which subsection 103 (1) of the Act applies shall be in the form that the Director of Titles approves.

10. (1) A transfer of land by a chargee under section 99 of the Act that is submitted for registration in a non-electronic format shall be in Form 30 of Regulation 690 of the Revised Regulations of Ontario, 1990.

(2) The evidence required by the Director of Titles under subsection 99 (1) of the Act shall be attached to the original transfer.

(3) This section applies with necessary modifications to,

(a) a sale under a mortgage that was entered on the register on the first registration of the land; and

(b) a charge in the form of a debenture or similar instrument.

11. (1) An application for a notice of a lease or for a notice of an agreement for a lease that is submitted for registration under subsection 111 (1) of the Act in a non-electronic format shall be in Form 31 of Regulation 690 of the Revised Regulations of Ontario, 1990.

(2) A notice of an interest in a lease under subsection 111 (6) of the Act that is submitted for registration in a non-electronic format shall be in Form 32 of Regulation 690 of the Revised Regulations of Ontario, 1990.

12. (1) An application to register a caution that is submitted for registration under subsection 128 (1) or (2) of the Act in a non-electronic format shall be in Form 33 of Regulation 690 of the Revised Regulations of Ontario, 1990.

(2) The affidavit required by section 131 of the Act shall be in Form 34 of Regulation 690 of the Revised Regulations of Ontario, 1990.

(3) An application to renew a caution registered under section 128 of the Act that is submitted for registration in a non-electronic format shall be in Form 35 of Regulation 690 of the Revised Regulations of Ontario, 1990.

13. A withdrawal of a caution that is submitted for registration under subsection 129 (7) of the Act in a non-electronic format shall be in Form 37 of Regulation 690 of the Revised Regulations of Ontario, 1990.

14. A transmission application under section 120, 121, 122 or 127 of the Act that is submitted for registration in a non-electronic format shall be in,

(a) Form 40 of Regulation 690 of the Revised Regulations of Ontario, 1990, if made by an executor, administrator or estate trustee; or

(b) Form 41 of Regulation 690 of the Revised Regulations of Ontario, 1990, if made by a devisee or heir at law.

15. A survivorship application under section 123 of the Act that is submitted for registration in a non-electronic format shall be in Form 42 of Regulation 690 of the Revised Regulations of Ontario, 1990.

16. An application under section 118 or 119 of the Act to impose on or annex to land a condition, restriction or covenant that is submitted for registration in a non-electronic format shall be in Form 46 of Regulation 690 of the Revised Regulations of Ontario, 1990.

17. A certificate of withdrawal under subsection 171 (2) of the Act shall be in Form 50 of Regulation 690 of the Revised Regulations of Ontario, 1990 if the subject land is not situated in a land titles division where documents may be submitted for registration in an electronic format.

18. A notice of a change of address for service under subsection 168 (2) of the Act that is submitted for registration in non-electronic format shall be in Form 52 of Regulation 690 of the Revised Regulations of Ontario, 1990.

IAN VEITCH
Director of Land Registration

Dated on January 20, 1999.

7/99

ONTARIO REGULATION 28/99 made under the OCCUPATIONAL THERAPY ACT, 1991

Made: November 10, 1998
Approved: January 27, 1999
Filed: January 28, 1999

Amending O. Reg. 226/96
(General)

Note: Ontario Regulation 226/96 has previously been amended by Ontario Regulation 127/98.

1. Ontario Regulation 226/96 is amended by adding the following Part:

PART VI QUALITY ASSURANCE

GENERAL

24. In this Regulation,

"assessor" means an assessor appointed under section 81 of the Health Professions Procedural Code;

"Committee" means the Quality Assurance Committee;

"remediation" includes remedial activities such as participation in educational programs or courses and mentoring by peers.

25. (1) The Committee shall administer the quality assurance program, which shall include the following components:

1. Self-evaluation.
2. Collection, analysis, evaluation and dissemination of information relating to the practice of the profession.
3. Peer review and remediation.
4. Remediation of behaviour and remarks of a sexual nature.

(2) Every member shall participate in the quality assurance program.

26. (1) A panel of the Committee may exercise any of the powers and duties of the Committee on behalf of the Committee.

(2) A panel shall be composed of at least three members of the Committee, at least one of whom shall be a person appointed to the Council by the Lieutenant Governor in Council.

SELF-EVALUATION

27. (1) The purpose of self-evaluation is to ensure that every member reflects critically on his or her knowledge, skills and judgment and way of carrying out his or her professional activities, including the development of strategies to improve competence.

(2) Every member shall carry out his or her self-evaluation, in accordance with the College's policies and guidelines as published and distributed to members, using the documents and forms provided by the College to establish a record of the member's practice activities and continual learning and continuing education activities.

(3) A member shall retain his or her self-evaluation records for the previous five years and, on request, shall make them available to the Committee for inspection within 30 days.

(4) A member whose records are not complete or are inadequate may be referred to peer review.

COLLECTION, ANALYSIS AND DISSEMINATION OF INFORMATION

28. (1) The Committee shall systematically collect and analyse information about the nature and quality of the practice of occupational therapy.

(2) If the Committee believes it would be beneficial to the quality of the practice of occupational therapy to disseminate the results of the collection and analysis of information, it shall do so in such manner as it considers appropriate, including the publishing of articles.

(3) The Committee may also use the results of the collection and analysis of information for the purpose of,

- (a) proposing written standards of practice or clinical practice guidelines to the Council;
- (b) recognizing or certifying remediation programs for members;
- (c) making recommendations with respect to changes to the quality assurance program.

PEER REVIEW AND REMEDIATION

29. (1) Each year the College shall select at random the names of members required to undergo a peer review.

(2) A member is required to undergo a peer review to evaluate his or her knowledge, skills and judgment if,

- (a) the member's name is selected at random;
- (b) the member is referred to the Committee by the Registrar, the Complaints Committee or the Executive Committee;

(c) the member is referred to the Committee under subsection 27 (4); or

(d) the member is selected on the basis of criteria issued and published by the College and distributed to the members.

(3) The peer review may include, but is not limited to,

(a) inspecting the premises where the member practises and his or her self-evaluation and client records;

(b) interviewing persons with whom the member works;

(c) interviewing the member's clients; or

(d) requiring the member to answer, orally or in writing, questions that relate to the member's practice.

(4) The Committee may appoint one or more assessors to conduct a peer review.

(5) The assessor shall prepare a written report of the results of the peer review and submit it to the Committee, with a copy to the member.

(6) After considering the report, the Committee may decide to take no further action or to do one or more of,

(a) giving the member an opportunity to correct any deficiencies and to enhance his or her knowledge, skills and judgment as specified by the Committee;

(b) subject to subsection 30 (2), requiring the member to participate in a remediation program specified by the Committee if the Committee finds that the member's knowledge, skills or judgment are unsatisfactory but that they can be remediated; or

(c) subject to subsection 30 (2), directing the Registrar to impose terms, conditions or limitations on the member's certificate of registration for a specified period not exceeding six months if the Committee finds the member's knowledge, skills or judgment to be unsatisfactory.

(7) Where the Committee decides to take action under clause (6) (a), (b) or (c), it may at the same time or at a later time require the member to undergo a second peer review, and subsections (3) to (6) apply to that review.

(8) A member shall not be required to undergo more than one peer review under subsection (7).

30. (1) If the Committee requires a member to participate in a remediation program under clause 29 (6) (b) and the member either fails to do so or fails to successfully complete the program, the Committee may, subject to subsection (2), direct the Registrar to impose terms, conditions or limitations on the member's certificate of registration for a specified period not exceeding six months.

(2) If the Committee proposes to make a direction under subsection (1) or clause 29 (6) (c) or to require a member to participate in a remediation program under clause 29 (6) (b), it shall not do so unless,

(a) the member has been given written notice of its intention;

(b) the member has been given at least 14 days to make written submissions to the Committee; and

(c) the Committee has considered any such submissions.

(3) If the Registrar imposes terms, conditions or limitations on a member's certificate of registration pursuant to a direction given by the Committee under subsection (1) or clause 29 (6) (c), the Committee may direct the Registrar to remove them before the end of the specified period if the Committee is satisfied that the member's knowledge, skills and judgment are now satisfactory.

REMEDICATION OF BEHAVIOUR OR REMARKS OF A SEXUAL NATURE

31. (1) This section applies to matters referred to the Committee by,

- (a) a panel of the Complaints Committee under subsection 26 (3) of the Health Professions Procedural Code; or
- (b) the Executive Committee, Complaints Committee or Board under section 79.1 of the Code.

(2) The Committee may require a member to undergo a psychological assessment or another assessment specified by the Committee if a matter respecting the member is referred as provided in subsection (1).

(3) After receiving the report of an assessment under subsection (2), the Committee may require the member to undertake specified measures, such as education, therapy or counselling if,

- (a) the Committee is of the opinion that the measures will help the member to refrain from such behaviour and remarks; and
- (b) the member has been given written notice of the Committee's intention to require the member to undertake measures and at least 14 days to make written submissions to the Committee.

(4) If the member refuses to undergo an assessment under subsection (2) or to undertake measures specified by the Committee under subsection (3), or fails to successfully complete those measures, the Committee may direct the Registrar to impose terms, conditions or limitations on the member's certificate of registration for a specified period not exceeding six months.

(5) The Committee shall not give a direction under subsection (4) unless the member has been given written notice of the Committee's intention to do so and at least 14 days to make written submissions to the Committee.

(6) If, at the end of the specified period, the member continues to refuse to undergo an assessment or has not undertaken or successfully completed the specified measures, the Committee may, subject to the requirement for notice and the opportunity to make written submissions referred to in clause (3) (b), direct the Registrar to impose terms, conditions or limitations on the member's certificate of registration for a further specified period not exceeding six months, but may not do so a third time.

(7) If the Registrar imposes terms, conditions or limitations on a member's certificate of registration pursuant to a direction given by the Committee under subsection (4) or (6), the Committee may direct the Registrar to remove them before the end of the specified period if the Committee is satisfied that they are no longer needed.

COUNCIL OF THE COLLEGE OF
OCCUPATIONAL THERAPISTS OF ONTARIO:

BARBARA J. WORTH
President

JAN ROBINSON
Registrar

Dated on November 10, 1998.

7/99

ONTARIO REGULATION 29/99
made under the
INTERPRETATION ACT

Made: January 27, 1999

Filed: January 28, 1999

Amending Reg. 678 of R.R.O. 1990
(Fees Payable under Various Acts)

Note: Regulation 678 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Section 1.2 of Regulation 678 of the Revised Regulations of Ontario, 1990 is revoked.

2. Section 1.4 of the Regulation is amended by striking out "Section 1.2" in the first line and substituting "Section 1.3".

7/99

ONTARIO REGULATION 30/99
made under the
LAW SOCIETY ACT

Made: January 21, 1999
Approved: January 27, 1999
Filed: January 28, 1999

HEARINGS BEFORE THE HEARING PANEL

PROCEEDINGS TO BE HEARD BY THREE MEMBERS

1. (1) Subject to section 2, the chair of the Hearing Panel shall assign three members of the Panel to a hearing to determine the merits of a proceeding.

RÈGLEMENT DE L'ONTARIO 30/99
pris en application de la
LOI SUR LE BARREAU

pris le 21 janvier 1999
approuvé le 27 janvier 1999
déposé le 28 janvier 1999

**AUDIENCES TENUES PAR LE COMITÉ
D'AUDITION**

INSTANCES INSTRUITES PAR TROIS MEMBRES

1. (1) Sous réserve de l'article 2, le président du Comité d'audition affecte trois membres du Comité à une audience visant à établir le bien-fondé d'une instance.

(2) If the hearing is to determine the merits of an application under section 34 or 38 of the Act,

- (a) at least one of the members assigned under subsection (1) shall be an elected benchler; and
- (b) at least one of the members assigned under subsection (1) shall be a lay benchler.

(3) Subsection (2) does not apply if the chair of the Hearing Panel is of the opinion that compliance with subsection (2) would unduly delay the hearing.

(4) The chair of the Hearing Panel may not assign more than one life benchler to a hearing before the Panel.

(5) The chair of the Hearing Panel may not assign more than one benchler who holds office under section 14 of the Act to a hearing before the Panel.

PROCEEDINGS TO BE HEARD BY ONE MEMBER

2. (1) Subject to subsection (3), the chair of the Hearing Panel shall assign one member of the Panel to a hearing to determine the merits of any of the following applications:

1. An application under subsection 34 (1) of the Act for a determination of whether a member has contravened section 33 of the Act by one or more of the following means (but not by other means):
 - i. Acting as a barrister or solicitor, holding himself or herself out as or representing himself or herself to be a barrister or solicitor or practising law as a barrister or solicitor while his or her rights and privileges are suspended.
 - ii. Breaching an undertaking to the Society.
 - iii. Failing to honour a financial obligation to the Society.
 - iv. Failing to maintain an investment authority or a report on an investment as required by the by-laws.
 - v. Failing to maintain financial records as required by the by-laws.
 - vi. Failing to respond to inquiries from the Society.
 - vii. Failing to co-operate with a person conducting an audit, investigation, review, search or seizure under Part II of the Act.
 - viii. Failing to pay costs awarded to the Society by the Hearing Panel or the Appeal Panel.
2. An application under subsection 34 (1) of the Act, if the parties to the application consent, in accordance with the rules of practice and procedure, to the application being heard by one member of the Hearing Panel.
3. An application under subsection 45 (1) of the Act.
4. An application under subsection 49.1 (4) of the Act.
5. An application under subsection 49.42 (1) of the Act, if the order giving rise to the application was made by one member of the Hearing Panel.
6. An application under subsection 49.42 (3) of the Act.
7. An application under subsection 49.43 (1) of the Act.

(2) If the chair of the Hearing Panel is required under subsection (1) to assign one member of the Panel to a hearing, the chair shall assign an elected benchler to the hearing.

(2) Si l'audience vise à établir le bien-fondé d'une requête présentée en vertu de l'article 34 ou 38 de la Loi :

- a) au moins un des membres affectés à l'audience aux termes du paragraphe (1) est un conseiller élu;
- b) au moins un des membres affectés à l'audience aux termes du paragraphe (1) est un conseiller non juriste.

(3) Le paragraphe (2) ne s'applique pas si le président du Comité d'audition est d'avis que le fait de se conformer au paragraphe (2) retarderait indûment l'audience.

(4) Le président du Comité d'audition ne peut affecter plus d'un conseiller à vie à une audience que tient le Comité.

(5) Le président du Comité d'audition ne peut affecter à une audience que tient le Comité plus d'un conseiller visé à l'article 14 de la Loi.

INSTANCES INSTRUITES PAR UN SEUL MEMBRE

2. (1) Sous réserve du paragraphe (3), le président du Comité d'audition affecte un seul membre du Comité à une audience visant à établir le bien-fondé de l'une ou l'autre des requêtes suivantes :

1. Une requête visée au paragraphe 34 (1) de la Loi qui vise à établir si un membre a contrevenu à l'article 33 de la Loi de l'une ou plusieurs des façons suivantes (mais d'aucune autre façon) :
 - i. Il a agi comme avocat, s'est présenté comme tel, s'est fait passer pour tel ou a pratiqué le droit en cette qualité pendant que ses droits et privilèges étaient suspendus.
 - ii. Il n'a pas respecté un engagement envers le Barreau.
 - iii. Il n'a pas honoré une obligation financière envers le Barreau.
 - iv. Il n'a pas conservé une autorisation de placement ou un rapport sur un placement comme l'exigent les règlements administratifs.
 - v. Il n'a pas conservé les registres financiers comme l'exigent les règlements administratifs.
 - vi. Il n'a pas répondu à des demandes de renseignements du Barreau.
 - vii. Il n'a pas collaboré avec la personne qui procède à une vérification, à une enquête, à une inspection, à une perquisition ou à une saisie aux termes de la partie II de la Loi.
 - viii. Il n'a pas payé les frais adjugés au Barreau par le Comité d'audition ou le Comité d'appel.
2. Une requête visée au paragraphe 34 (1) de la Loi, si les parties à la requête consentent, conformément aux règles de pratique et de procédure, à ce qu'elle soit entendue par un seul membre du Comité d'audition.
3. Une requête visée au paragraphe 45 (1) de la Loi.
4. Une requête visée au paragraphe 49.1 (4) de la Loi.
5. Une requête visée au paragraphe 49.42 (1) de la Loi, si l'ordonnance qui y donne lieu a été rendue par un seul membre du Comité d'audition.
6. Une requête visée au paragraphe 49.42 (3) de la Loi.
7. Une requête visée au paragraphe 49.43 (1) de la Loi.

(2) Si le président du Comité d'audition est tenu d'affecter un seul membre du Comité à une audience aux termes du paragraphe (1), il y affecte alors un conseiller élu.

(3) If one member of the Hearing Panel is assigned to a hearing under subsection (1), the member assigned to the hearing may, on motion by a party to the application or on his or her own motion, transfer the hearing to three members of the Panel assigned by the chair of the Panel, and subsections 1 (2) to (5) apply for that purpose.

(4) If a hearing is transferred under subsection (3) to three members of the Hearing Panel, the hearing shall begin anew.

MOTIONS IN PROCEEDINGS TO BE HEARD BY THREE MEMBERS

3. (1) This section applies to the hearing of motions in a proceeding in which the chair of the Hearing Panel is required by section 1 or subsection 2 (3) to assign three members of the Panel to the hearing to determine the merits of the proceeding.

(2) The chair of the Hearing Panel shall assign the same three members of the Panel who are to determine the merits of the proceeding to the hearing of a motion in the proceeding if the motion relates to any of the following matters:

1. The jurisdiction of the Hearing Panel to hear and determine the proceeding.
2. The jurisdiction of the Society to initiate the proceeding.
3. The exclusion of the public from all or part of a hearing.
4. Disclosure of particulars, documents or things from a person who is not a party to the proceeding.
5. The production of documents by a person who is a party to the proceeding, if the chair of the Hearing Panel is of the opinion that the motion will likely require the members of the Panel who hear the motion to examine some or all of the documents.
6. A stay of the proceeding.
7. The exclusion of witnesses from all or part of a hearing.
8. A constitutional issue.
9. A motion under subsection 39 (1) of the Act to require the member or student member who is the subject of the proceeding to be examined by one or more physicians or psychologists.
10. A motion made, with the consent of the parties, to deal in an application under section 34 of the Act with a matter that would otherwise have to be the subject of an application under section 38 of the Act.
11. A motion to which, in the opinion of the chair of the Hearing Panel, the *Mental Health Act* may apply.
12. A motion that is transferred under this section to the three members of the Panel who are to determine the merits of the proceeding.
13. Any matter that arises during the hearing of the merits of the proceeding.

(3) Subject to paragraphs 12 and 13 of subsection (2), the chair of the Hearing Panel shall assign three members of the Panel to the hearing of a motion in the proceeding, and is not required to assign any of the members who are to determine the merits of the proceeding, if the motion relates to any of the following matters:

1. The issue of whether two or more proceedings should be heard together.
2. Disclosure of particulars and things that are not documents from a party to the proceeding.
3. The production of documents by a party to the proceeding, if the chair of the Hearing Panel is of the opinion that the motion is not likely to require the members of the Panel who hear the motion to examine any of the documents.

(3) Si un seul membre du Comité d'audition est affecté à une audience aux termes du paragraphe (1), il peut, sur motion d'une partie à la requête ou de sa propre initiative, transférer l'audience à trois membres du Comité qu'y affecte le président, et les paragraphes 1 (2) à (5) s'appliquent alors à cette fin.

(4) L'audience qui est transférée en vertu du paragraphe (3) à trois membres du Comité d'audition constitue une nouvelle audience.

MOTIONS DANS LE CADRE DES INSTANCES INSTRUITES PAR TROIS MEMBRES

3. (1) Le présent article s'applique à l'audition de motions dans le cadre d'une instance dans laquelle le président du Comité d'audition est tenu par l'article 1 ou le paragraphe 2 (3) d'affecter trois membres du Comité à l'audience visant à établir le bien-fondé de l'instance.

(2) Le président du Comité d'audition affecte les trois mêmes membres du Comité qui doivent établir le bien-fondé de l'instance à l'audition d'une motion dans le cadre de l'instance si la motion porte sur l'une ou l'autre des questions suivantes :

1. La question de savoir si le Comité d'audition a compétence pour connaître de l'instance.
2. La question de savoir si le Barreau a compétence pour introduire l'instance.
3. L'exclusion du public de tout ou partie d'une audience.
4. La divulgation de renseignements, de documents ou de choses par une personne qui n'est pas partie à l'instance.
5. La production de documents par une personne qui est partie à l'instance, si le président du Comité d'audition est d'avis que la motion obligera vraisemblablement les membres du Comité qui l'entendent à examiner tout ou partie des documents.
6. La suspension de l'instance.
7. L'exclusion des témoins de tout ou partie d'une audience.
8. Une question constitutionnelle.
9. Une motion visée au paragraphe 39 (1) de la Loi en vue d'exiger que le membre ou le membre étudiant qui fait l'objet de l'instance soit examiné par un ou plusieurs médecins ou psychologues.
10. Une motion présentée, avec le consentement des parties, en vue de traiter, dans le cadre d'une requête visée à l'article 34 de la Loi, une question qui devrait autrement faire l'objet d'une requête visée à l'article 38 de la Loi.
11. Une motion à laquelle la *Loi sur la santé mentale* s'applique peut-être de l'avis du président du Comité d'audition.
12. Une motion transférée aux termes du présent article aux trois membres du Comité qui doivent établir le bien-fondé de l'instance.
13. Toute question soulevée pendant l'audience portant sur le bien-fondé de l'instance.

(3) Sous réserve des dispositions 12 et 13 du paragraphe (2), le président du Comité d'audition affecte trois membres du Comité à l'audition d'une motion dans le cadre de l'instance, et il n'est pas tenu d'y affecter un des membres qui doivent établir le bien-fondé de l'instance, si la motion porte sur l'une ou l'autre des questions suivantes :

1. La question de savoir si deux instances ou plus devraient être instruites simultanément.
2. La divulgation, par une partie à l'instance, de renseignements et de choses qui ne sont pas des documents.
3. La production de documents par une partie à l'instance, si le président du Comité d'audition est d'avis que la motion n'obligera vraisemblablement pas les membres du Comité qui l'entendent à examiner ces documents.

4. Adding a party to the proceeding or authorizing a person who is not a party to participate in a hearing.
5. Withdrawal of the counsel or agent for a party to the proceeding.
6. A request for an order prohibiting a party to the proceeding from making further motions in the proceeding without leave of the Hearing Panel.

(4) Subject to paragraphs 12 and 13 of subsection (2), the chair of the Hearing Panel shall assign one member of the Panel to the hearing of a motion in the proceeding, and is not required to assign any of the members who are to determine the merits of the proceeding, if the motion relates to any of the following matters:

1. The extension or abridgement of any time prescribed by the rules of practice and procedure or by a previous order of the Hearing Panel.
2. The place of hearing for the hearing of a motion or for the hearing of the merits of the proceeding.
3. The form of a hearing, including the issue of whether to hold an electronic hearing.
4. The holding of a pre-hearing conference or the terms on which a pre-hearing conference may be held.
5. The consequences of failure to comply with an interlocutory order made in the proceeding by one member of the Hearing Panel.

(5) Subject to paragraphs 12 and 13 of subsection (2), the chair of the Hearing Panel shall assign three members of the Panel to the hearing of a motion in the proceeding, and is not required to assign any of the members who are to determine the merits of the proceeding, if the motion is not described in subsection (2), (3) or (4).

(6) Despite subsection (5), if the parties to the motion agree, the chair of the Hearing Panel shall assign one member of the Panel to the hearing of a motion in the proceeding, and is not required to assign any of the members who are to determine the merits of the proceeding, if the motion is not described in subsection (2), (3) or (4).

(7) Despite subsection (4) and despite the agreement of the parties under subsection (6), the chair of the Hearing Panel may assign three members of the Panel to the hearing of a motion that is described in subsection (4) or to the hearing of a motion that is not described in subsection (2), (3) or (4) if the chair is of the opinion that the assignment of three members would facilitate the hearing of the motion together with another motion to which the chair is required to assign three members.

(8) If three members of the Hearing Panel other than the three members who are to determine the merits of the proceeding are assigned to the hearing of a motion, the members assigned to the hearing of the hearing of the motion may, on motion by a party to the motion or on their own motion, transfer the hearing to the three members of the Panel who are to determine the merits of the proceeding.

(9) If one member of the Hearing Panel is assigned to the hearing of a motion, the member assigned to the hearing may, on motion by a party to the motion or on his or her own motion, transfer the hearing to the three members of the Panel who are to determine the merits of the proceeding.

(10) If a motion that relates to the production of documents by a party to the proceeding is not assigned to the three members of the Hearing Panel who are to determine the merits of the proceeding and the members of the Panel who are assigned to hear the motion are of the opinion that some or all of the documents should be examined, the members of the Panel who are assigned to hear the motion shall transfer the hearing to the three members of the Panel who are to determine the merits of the proceeding.

4. La jonction d'une partie à l'instance ou l'autorisation d'une personne qui n'est pas une partie à prendre part à une audience.
5. Le retrait de l'avocat ou du représentant d'une partie à l'instance.
6. Une demande d'ordonnance interdisant à une partie à l'instance de présenter d'autres motions dans le cadre de l'instance sans l'autorisation du Comité d'audition.

(4) Sous réserve des dispositions 12 et 13 du paragraphe (2), le président du Comité d'audition affecte un seul membre du Comité à l'audition d'une motion dans le cadre de l'instance, et il n'est pas tenu d'y affecter un des membres qui doivent établir le bien-fondé de l'instance, si la motion porte sur l'une ou l'autre des questions suivantes :

1. La prorogation ou l'abrégement d'un délai que prescrivent les règles de pratique et de procédure ou une ordonnance antérieure du Comité d'audition.
2. Le lieu de l'audience portant sur une motion ou sur le bien-fondé de l'instance.
3. La forme d'une audience, y compris la question de savoir s'il faut tenir une audience électronique.
4. La tenue d'une conférence préparatoire à l'audience ou les conditions auxquelles une telle conférence peut être tenue.
5. Les conséquences de l'inobservation d'une ordonnance interlocutoire rendue dans le cadre de l'instance par un seul membre du Comité d'audition.

(5) Sous réserve des dispositions 12 et 13 du paragraphe (2), le président du Comité d'audition affecte trois membres du Comité à l'audition d'une motion dans le cadre de l'instance, et il n'est pas tenu d'y affecter un des membres qui doivent établir le bien-fondé de l'instance, s'il ne s'agit pas d'une motion visée au paragraphe (2), (3) ou (4).

(6) Malgré le paragraphe (5), si les parties à la motion y consentent, le président du Comité d'audition affecte un seul membre du Comité à l'audition d'une motion dans le cadre de l'instance, et il n'est pas tenu d'y affecter un des membres qui doivent établir le bien-fondé de l'instance, s'il ne s'agit pas d'une motion visée au paragraphe (2), (3) ou (4).

(7) Malgré le paragraphe (4) et malgré le consentement des parties visé au paragraphe (6), le président du Comité d'audition peut affecter trois membres du Comité à l'audition d'une motion visée au paragraphe (4) ou à l'audition d'une motion qui n'est pas visée au paragraphe (2), (3) ou (4) s'il est d'avis que l'affectation de trois membres faciliterait l'audition simultanée de la motion et d'une autre motion à laquelle il est tenu d'affecter trois membres.

(8) Si trois membres du Comité d'audition autres que les trois qui doivent établir le bien-fondé de l'instance sont affectés à l'audition d'une motion, ils peuvent, sur motion d'une partie à la motion ou de leur propre initiative, transférer l'audience aux membres qui doivent établir le bien-fondé de l'instance.

(9) Si un seul membre du Comité d'audition est affecté à l'audition d'une motion, il peut, sur motion d'une partie à la motion ou de sa propre initiative, transférer l'audience aux trois membres du Comité qui doivent établir le bien-fondé de l'instance.

(10) Si l'audition d'une motion qui porte sur la production de documents par une partie à l'instance n'est pas affectée aux trois membres du Comité d'audition qui doivent établir le bien-fondé de l'instance et que les membres du Comité qui y sont affectés sont d'avis que tout ou partie des documents devraient être examinés, les membres qui sont affectés à l'audition de la motion transfèrent l'audience aux trois membres du Comité qui doivent établir le bien-fondé de l'instance.

(11) If a motion is not assigned to the three members of the Hearing Panel who are to determine the merits of the proceeding and the member or members of the Panel who are assigned to hear the motion are of the opinion that the *Mental Health Act* may apply to the motion, the member or members of the Panel who are assigned to hear the motion shall transfer the hearing to the three members of the Panel who are to determine the merits of the proceeding.

(12) If a hearing is transferred under subsection (8), (9), (10) or (11), the hearing shall begin anew.

(13) If three members of the Hearing Panel are assigned to the hearing of a motion under this section, subsections 1 (4) and (5) apply.

MOTIONS IN PROCEEDINGS TO BE HEARD BY ONE MEMBER

4. (1) This section applies to the hearing of motions in a proceeding in which the chair of the Hearing Panel is required by section 2 to assign one member of the Panel to the hearing to determine the merits of the proceeding.

(2) The chair of the Hearing Panel shall assign three members of the Panel to the hearing of a motion in the proceeding for an interlocutory order suspending the rights and privileges of a member or student member or restricting the manner in which a member may practise law.

(3) The chair of the Hearing Panel shall assign the member of the Panel who is to determine the merits of the proceeding to the hearing of a motion in the proceeding if the motion relates to any of the following matters:

1. The jurisdiction of the Hearing Panel to hear and determine the proceeding.
2. The jurisdiction of the Society to initiate the proceeding.
3. The exclusion of the public from all or part of a hearing.
4. Disclosure of particulars, documents or things from a person who is not a party to the proceeding.
5. The production of documents by a person who is a party to the proceeding, if the chair of the Hearing Panel is of the opinion that the motion will likely require the member of the Panel who hears the motion to examine some or all of the documents.
6. A stay of the proceeding.
7. The exclusion of witnesses from all or part of a hearing.
8. A constitutional issue.
9. A motion to which, in the opinion of the chair of the Hearing Panel, the *Mental Health Act* may apply.
10. A motion that is transferred under this section to the member of the Panel who is to determine the merits of the proceeding.
11. Any matter that arises during the hearing of the merits of the proceeding.

(4) The chair of the Hearing Panel shall assign one member of the Panel to the hearing of a motion in the proceeding, and is not required to assign the member who is to determine the merits of the proceeding, if the motion is not described in subsection (2) or (3).

(5) If a member of the Hearing Panel other than the member who is to determine the merits of the proceeding is assigned under subsection (4) to the hearing of a motion, the member assigned to the hearing may, on motion by a party to the motion or on his or her own motion, transfer the hearing to the member who is to determine the merits of the proceeding.

(11) Si l'audition d'une motion n'est pas affectée aux trois membres du Comité d'audition qui doivent établir le bien-fondé de l'instance et que le ou les membres du Comité qui y sont affectés sont d'avis que la *Loi sur la santé mentale* s'applique peut-être à la motion, le ou les membres qui sont affectés à l'audition de la motion transfèrent l'audience aux trois membres du Comité qui doivent établir le bien-fondé de l'instance.

(12) L'audience qui est transférée aux termes du paragraphe (8), (9), (10) ou (11) constitue une nouvelle audience.

(13) Si trois membres du Comité d'audition sont affectés à l'audition d'une motion aux termes du présent article, les paragraphes 1 (4) et (5) s'appliquent.

MOTIONS DANS LE CADRE DES INSTANCES INSTRUITES PAR UN SEUL MEMBRE

4. (1) Le présent article s'applique à l'audition des motions dans le cadre d'une instance dans laquelle le président du Comité d'audition est tenu par l'article 2 d'affecter un seul membre du Comité à l'audience visant à établir le bien-fondé de l'instance.

(2) Le président du Comité d'audition affecte trois membres du Comité à l'audition d'une motion présentée dans le cadre de l'instance en vue d'obtenir une ordonnance interlocutoire suspendant les droits et privilèges d'un membre ou d'un membre étudiant ou limitant la façon dont le membre peut pratiquer le droit.

(3) Le président du Comité d'audition affecte le membre du Comité qui doit établir le bien-fondé de l'instance à l'audition d'une motion dans le cadre de l'instance si la motion porte sur l'une ou l'autre des questions suivantes :

1. La question de savoir si le Comité d'audition a compétence pour connaître de l'instance.
2. La question de savoir si le Barreau a compétence pour introduire l'instance.
3. L'exclusion du public de tout ou partie d'une audience.
4. La divulgation de renseignements, de documents ou de choses par une personne qui n'est pas partie à l'instance.
5. La production de documents par une personne qui est partie à l'instance, si le président du Comité d'audition est d'avis que la motion obligera vraisemblablement le membre du Comité qui l'entend à examiner tout ou partie des documents.
6. La suspension de l'instance.
7. L'exclusion des témoins de tout ou partie d'une audience.
8. Une question constitutionnelle.
9. Une motion à laquelle la *Loi sur la santé mentale* s'applique peut-être de l'avis du président du Comité d'audition.
10. Une motion transférée aux termes du présent article au membre du Comité qui doit établir le bien-fondé de l'instance.
11. Toute question soulevée pendant l'audience portant sur le bien-fondé de l'instance.

(4) Le président du Comité d'audition affecte un seul membre du Comité à l'audition d'une motion dans le cadre de l'instance, et il n'est pas tenu d'y affecter le membre qui doit établir le bien-fondé de l'instance, s'il ne s'agit pas d'une motion visée au paragraphe (2) ou (3).

(5) Si un membre du Comité d'audition autre que celui qui doit établir le bien-fondé de l'instance est affecté aux termes du paragraphe (4) à l'audition d'une motion, il peut, sur motion d'une partie à la motion ou de sa propre initiative, transférer l'audience au membre qui doit établir le bien-fondé de l'instance.

(6) Despite subsections (3), (4) and (5), the chair of the Hearing Panel may assign three members of the Panel to the hearing of a motion if the chair is of the opinion that the assignment of three members would facilitate the hearing of the motion together with a motion to which the chair is required by subsection (2) to assign three members.

(7) If a motion that relates to the production of documents by a party to the proceeding is not assigned to the member of the Hearing Panel who is to determine the merits of the proceeding and the member of the Panel who is assigned to hear the motion is of the opinion that some or all of the documents should be examined, the member of the Panel who is assigned to hear the motion shall transfer the hearing to the member of the Panel who is to determine the merits of the proceeding.

(8) If a motion is not assigned to the member of the Hearing Panel who is to determine the merits of the proceeding and the member of the Panel who is assigned to hear the motion is of the opinion that the *Mental Health Act* may apply to the motion, the member of the Panel who is assigned to hear the motion shall transfer the hearing to the member of the Panel who is to determine the merits of the proceeding.

(9) If a hearing is transferred under subsection (5), (7) or (8) to the member of the Hearing Panel who is to determine the merits of the proceeding, the hearing shall begin anew.

MOTIONS IN INTENDED PROCEEDINGS

5. Despite sections 3 and 4, the chair of the Hearing Panel shall assign three members of the Panel, and is not required to assign any of the members who are to determine the merits of the proceeding, to the hearing of all motions in an intended proceeding.

COMMENCEMENT

6. This Regulation comes into force on February 1, 1999.

LAW SOCIETY OF UPPER CANADA:

HARVEY T. STROSBURG
Treasurer

RICHARD TINSLEY
Secretary

Dated on January 21, 1999.

7/99

(6) Malgré les paragraphes (3), (4) et (5), le président du Comité d'audition peut affecter trois membres du Comité à l'audition d'une motion s'il est d'avis que l'affectation de trois membres faciliterait l'audition simultanée de la motion et d'une motion à laquelle il est tenu par le paragraphe (2) d'affecter trois membres.

(7) Si l'audition d'une motion qui porte sur la production de documents par une partie à l'instance n'est pas affectée au membre du Comité d'audition qui doit établir le bien-fondé de l'instance et que le membre du Comité qui y est affecté est d'avis que tout ou partie des documents devraient être examinés, le membre qui est affecté à l'audition de la motion transfère l'audience au membre du Comité qui doit établir le bien-fondé de l'instance.

(8) Si l'audition d'une motion n'est pas affectée au membre du Comité d'audition qui doit établir le bien-fondé de l'instance et que le membre du Comité qui y est affecté est d'avis que la *Loi sur la santé mentale* s'applique peut-être à la motion, le membre qui est affecté à l'audition de la motion transfère l'audience au membre du Comité qui doit établir le bien-fondé de l'instance.

(9) L'audience qui est transférée aux termes du paragraphe (5), (7) ou (8) au membre du Comité d'audition qui doit établir le bien-fondé de l'instance constitue une nouvelle audience.

MOTIONS DANS LE CADRE DES INSTANCES ENVISAGÉES

5. Malgré les articles 3 et 4, le président du Comité d'audition affecte trois membres du Comité, et il n'est pas tenu d'y affecter un des membres qui doivent établir le bien-fondé de l'instance, à l'audition de toutes les motions dans le cadre d'une instance envisagée.

ENTRÉE EN VIGUEUR

6. Le présent règlement entre en vigueur le 1^{er} février 1999.

BARREAU DU HAUT-CANADA:

HARVEY T. STROSBURG
Trésorier

RICHARD TINSLEY
Secrétaire

Fait le 21 janvier 1999.

ONTARIO REGULATION 31/99 made under the LAW SOCIETY ACT

Made: January 21, 1999
Approved: January 27, 1999
Filed: January 28, 1999

COMPLAINTS RESOLUTION COMMISSIONER

1. (1) When a vacancy exists in the office of Complaints Resolution Commissioner, a committee shall be established to be known in English as the Complaints Resolution Commissioner Selection Committee and in French as Comité de sélection du commissaire au règlement des plaintes.

(2) The Committee shall be composed of,

RÈGLEMENT DE L'ONTARIO 31/99 pris en application de la LOI SUR LE BARREAU

pris le 21 janvier 1999
approuvé le 27 janvier 1999
déposé le 28 janvier 1999

COMMISSAIRE AU RÈGLEMENT DES PLAINTES

1. (1) Lorsque le poste de commissaire au règlement des plaintes est vacant, est constitué un comité appelé en français Comité de sélection du commissaire au règlement des plaintes et en anglais Complaints Resolution Commissioner Selection Committee.

(2) Le Comité se compose :

- (a) the Attorney General or a person the Attorney General appoints as his or her representative on the Committee;
 - (b) the Treasurer or a person the Treasurer appoints as his or her representative on the Committee; and
 - (c) a lay benchler appointed by Convocation, who shall be the chair of the Committee.
- (3) A person appointed under subsection (2) ceases to hold office when the Complaints Resolution Commissioner is appointed.

(4) The function of the Committee is to make recommendations to Convocation for the appointment of a person as Complaints Resolution Commissioner.

(5) The Committee shall perform its function in the following manner:

1. Subject to paragraph 4, the Committee shall advertise the vacancy in the office of Complaints Resolution Commissioner and shall review all applications received by the Committee.
 2. The Committee shall conduct the advertising and review process in accordance with criteria established by the Committee, including criteria relating to the assessment of applicants' professional excellence, community awareness and personal characteristics.
 3. The Committee shall give Convocation a ranked list of at least two applicants the Committee recommends for appointment as Complaints Resolution Commissioner, with brief supporting reasons.
 4. If Convocation is of the opinion that there is not enough time to advertise the vacancy, the Committee may review and make recommendations based on applications submitted at the time of a previous vacancy.
2. (1) Convocation shall not appoint a person as Complaints Resolution Commissioner unless the appointment is recommended by the Complaints Resolution Commissioner Selection Committee.
- (2) If the Committee gives Convocation a list of persons it recommends for appointment, Convocation may require the Committee to give Convocation a list of additional persons who are recommended by the Committee for appointment.
- (3) Convocation shall consider the Committee's recommendations in the absence of the public.
3. This Regulation does not apply if Convocation reappoints the Complaints Resolution Commissioner under subsection 49.14 (3) of the Act.
4. This Regulation comes into force on February 1, 1999.

LAW SOCIETY OF UPPER CANADA:

HARVEY T. STROSBERG
Treasurer

RICHARD TINSLEY
Secretary

Dated on January 21, 1999.

- a) du procureur général ou d'une personne qu'il nomme pour le représenter au Comité;
- b) du trésorier ou d'une personne qu'il nomme pour le représenter au Comité;
- c) d'un conseiller non juriste que nomme le Conseil et qui préside le Comité.

(3) Le mandat d'une personne nommée aux termes du paragraphe (2) prend fin lorsque le commissaire au règlement des plaintes est nommé.

(4) La mission du Comité est de faire des recommandations au Conseil en vue de la nomination du commissaire au règlement des plaintes.

(5) Le Comité remplit sa mission de la façon suivante :

1. Sous réserve de la disposition 4, le Comité annonce le poste de commissaire au règlement des plaintes et examine toutes les demandes qu'il reçoit.
 2. Le Comité procède à l'annonce et à l'examen des demandes conformément aux critères qu'il a établis, notamment en ce qui concerne l'évaluation de l'excellence professionnelle, la connaissance des questions communautaires et les caractéristiques personnelles des candidats.
 3. Le Comité remet au Conseil une liste, selon un ordre de préférence, d'au moins deux candidats dont il recommande la nomination au poste de commissaire au règlement des plaintes, qu'il accompagne d'un bref exposé des raisons à l'appui de ses recommandations.
 4. Si le Conseil est d'avis qu'il n'y a pas assez de temps pour annoncer le poste vacant, le Comité peut examiner les demandes reçues à la suite d'une vacance antérieure et faire des recommandations à leur égard.
2. (1) Le Conseil ne peut nommer une personne commissaire au règlement des plaintes que si elle est recommandée par le Comité de sélection du commissaire au règlement des plaintes.
- (2) Si le Comité remet au Conseil une liste de personnes dont il recommande la nomination, le Conseil peut demander au Comité de lui remettre une liste où figure le nom d'autres personnes dont il recommande la nomination.
- (3) Le Conseil examine les recommandations du Comité à huis clos.
3. Le présent règlement ne s'applique pas si le Conseil renouvelle le mandat du commissaire au règlement des plaintes aux termes du paragraphe 49.14 (3) de la Loi.
4. Le présent règlement entre en vigueur le 1^{er} février 1999.

BARREAU DU HAUT-CANADA:

HARVEY T. STROSBERG
Trésorier

RICHARD TINSLEY
Secrétaire

Fait le 21 janvier 1999.

ONTARIO REGULATION 32/99
made under the
LAW SOCIETY ACT

Made: January 21, 1999
Approved: January 27, 1999
Filed: January 28, 1999

Amending Reg. 708 of R.R.O. 1990
(General)

Note: Regulation 708 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. The title to Regulation 708 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

COUNTY AND DISTRICT LAW ASSOCIATIONS

- 2. Sections 1 to 23 of the Regulation are revoked.
- 3. Section 36 of the Regulation is revoked.
- 4. This Regulation comes into force on February 1, 1999.

LAW SOCIETY OF UPPER CANADA:

HARVEY T. STROSBERG
Treasurer

RICHARD TINSLEY
Secretary

Dated on January 21, 1999.

7/99

ONTARIO REGULATION 33/99
made under the
ONTARIO WORKS ACT, 1997

Made: January 14 1999
Filed: January 28, 1999

Amending O. Reg. 136/98
(Designation of Geographic Areas and Delivery Agents)

Note: Ontario Regulation 136/98 has previously been amended by Ontario Regulations 279/98, 544/98 and 545/98.

1. Schedule 1 to Ontario Regulation 136/98 is revoked and the following substituted:

Schedule 1

ITEM	GEOGRAPHIC AREAS	DELIVERY AGENTS
1.	City of Toronto	City of Toronto
2.	Regional Municipality of Durham	Regional Municipality of Durham
3.	Regional Municipality of Haldimand-Norfolk	Regional Municipality of Haldimand-Norfolk

RÈGLEMENT DE L'ONTARIO 32/99
pris en application de la
LOI SUR LE BARREAU

pris le 21 janvier 1999
approuvé le 27 janvier 1999
déposé le 28 janvier 1999

modifiant le Règl. 708 des R.R.O. de 1990
(Dispositions générales)

Remarque : Le Règlement 708 a été modifié antérieurement. Ces modifications sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1997

1. Le titre du Règlement 708 des Règlements refondus de l'Ontario de 1990 est abrogé et remplacé par ce qui suit :

ASSOCIATIONS D'AVOCATS DE COMTÉ
ET DE DISTRICT

- 2. Les articles 1 à 23 du Règlement sont abrogés.
- 3. L'article 36 du Règlement est abrogé.
- 4. Le présent règlement entre en vigueur le 1^{er} février 1999.

BARREAU DU HAUT-CANADA:

HARVEY T. STROSBERG
Trésorier

RICHARD TINSLEY
Secrétaire

Fait le 21 janvier 1999.

RÈGLEMENT DE L'ONTARIO 33/99
pris en application de la
LOI DE 1997 SUR LE PROGRAMME
ONTARIO AU TRAVAIL

pris le 14 janvier 1999
déposé le 28 janvier 1999

modifiant le Règl. de l'Ont. 136/98
(Désignation de zones géographiques et d'agents de
prestation des services)

Remarque : Le Règlement de l'Ontario 136/98 a été modifié antérieurement par les Règlements de l'Ontario 279/98, 544/98 et 545/98.

1. L'annexe 1 du Règlement de l'Ontario 136/98 est abrogée et remplacée par ce qui suit :

Annexe 1

NUMÉRO	ZONES GÉOGRAPHIQUES	AGENTS DE PRESTATION DES SERVICES
1.	Cité de Toronto	Cité de Toronto
2.	Municipalité régionale de Durham	Municipalité régionale de Durham
3.	Municipalité régionale de Haldimand-Norfolk	Municipalité régionale de Haldimand-Norfolk

ITEM	GEOGRAPHIC AREAS	DELIVERY AGENTS
4.	Regional Municipality of Halton	Regional Municipality of Halton
5.	Regional Municipality of Hamilton-Wentworth	Regional Municipality of Hamilton-Wentworth
6.	Regional Municipality of Niagara	Regional Municipality of Niagara
7.	Regional Municipality of Ottawa-Carleton	Regional Municipality of Ottawa-Carleton
8.	Regional Municipality of Peel	Regional Municipality of Peel
9.	Regional Municipality of Waterloo	Regional Municipality of Waterloo
10.	Regional Municipality of York	Regional Municipality of York
11.	District Municipality of Muskoka	District Municipality of Muskoka
12.	County of Brant and City of Brantford	City of Brantford
13.	County of Bruce	County of Bruce
14.	Municipality of Chatham-Kent	Municipality of Chatham-Kent
15.	County of Dufferin	County of Dufferin
16.	County of Elgin	County of Elgin
17.	City of St. Thomas	City of St. Thomas
18.	County of Essex	County of Essex
19.	Township of Pelee	Township of Pelee
20.	City of Windsor	City of Windsor
21.	Frontenac Management Board and City of Kingston	City of Kingston
22.	County of Grey and City of Owen Sound	County of Grey
23.	County of Haliburton	County of Haliburton
24.	County of Hastings, City of Belleville and City of Quinte West	County of Hastings
25.	County of Huron	County of Huron
26.	County of Lambton	County of Lambton
27.	County of Lanark and Town of Smith Falls	County of Lanark
28.	United Counties of Leeds and Grenville, City of Brockville, Town of Gananoque and Town of Prescott	United Counties of Leeds and Grenville
29.	County of Lennox and Addington and County of Prince Edward	County of Lennox and Addington
30.	County of Middlesex	County of Middlesex
31.	City of London	City of London

NUMÉRO	ZONES GÉOGRAPHIQUES	AGENTS DE PRESTATION DES SERVICES
4.	Municipalité régionale de Halton	Municipalité régionale de Halton
5.	Municipalité régionale de Hamilton-Wentworth	Municipalité régionale de Hamilton-Wentworth
6.	Municipalité régionale de Niagara	Municipalité régionale de Niagara
7.	Municipalité régionale d'Ottawa-Carleton	Municipalité régionale d'Ottawa-Carleton
8.	Municipalité régionale de Peel	Municipalité régionale de Peel
9.	Municipalité régionale de Waterloo	Municipalité régionale de Waterloo
10.	Municipalité régionale de York	Municipalité régionale de York
11.	Municipalité de district de Muskoka	Municipalité de district de Muskoka
12.	Comté de Brant et Cité de Brantford	Cité de Brantford
13.	Comté de Bruce	Comté de Bruce
14.	Municipalité de Chatham-Kent	Municipalité de Chatham-Kent
15.	Comté de Dufferin	Comté de Dufferin
16.	Comté d'Elgin	Comté d'Elgin
17.	Cité de St. Thomas	Cité de St. Thomas
18.	Comté d'Essex	Comté d'Essex
19.	Canton de Pelee	Canton de Pelee
20.	Cité de Windsor	Cité de Windsor
21.	Conseil de gestion de Frontenac et Cité de Kingston	Cité de Kingston
22.	Comté de Grey et Cité d'Owen Sound	Comté de Grey
23.	Comté de Haliburton	Comté de Haliburton
24.	Comté de Hastings, Cité de Belleville et Cité de Quinte West	Comté de Hastings
25.	Comté de Huron	Comté de Huron
26.	Comté de Lambton	Comté de Lambton
27.	Comté de Lanark et Ville de Smith Falls	Comté de Lanark
28.	Comtés unis de Leeds et Grenville, Cité de Brockville, Ville de Gananoque et Ville de Prescott	Comtés unis de Leeds et Grenville
29.	Comté de Lennox et Addington et Comté de Prince Edward	Comté de Lennox et Addington
30.	Comté de Middlesex	Comté de Middlesex
31.	Cité de London	Cité de London

ITEM	GEOGRAPHIC AREAS	DELIVERY AGENTS
32.	County of Northumberland	County of Northumberland
33.	County of Oxford	County of Oxford
34.	County of Perth, City of Stratford and Town of St. Marys	City of Stratford
35.	County of Peterborough and City of Peterborough	City of Peterborough
36.	County of Prescott and Russell	County of Prescott and Russell
37.	County of Renfrew, including the City of Pembroke	County of Renfrew
38.	County of Simcoe	County of Simcoe
39.	City of Barrie	City of Barrie
40.	City of Orillia	City of Orillia
41.	County of Stormont, Dundas and Glengarry	County of Stormont, Dundas and Glengarry
42.	City of Cornwall	City of Cornwall
43.	County of Victoria	County of Victoria
44.	County of Wellington and City of Guelph	County of Wellington
45.	The district described in Ontario Regulation 278/98 for the District of Algoma Social Services Administration Board	District of Algoma Social Services Administration Board
46.	The district described in Ontario Regulation 278/98 for the District of Sault Ste. Marie Social Services Administration Board	District of Sault Ste. Marie Social Services Administration Board
47.	The district described in Ontario Regulation 278/98 for the District of Cochrane Social Services Administration Board	District of Cochrane Social Services Administration Board
48.	City of Dryden	City of Dryden
49.	Township of Machin	Township of Machin
50.	Town of Kenora	Town of Kenora
51.	Town of Keewatin	Town of Keewatin
52.	Town of Jaffray Melick	Town of Jaffray Melick
53.	Township of Sioux Narrows	Township of Sioux Narrows
54.	Town of Sioux Lookout	Town of Sioux Lookout
55.	Township of Ignace	Township of Ignace

NUMÉRO	ZONES GÉOGRAPHIQUES	AGENTS DE PRESTATION DES SERVICES
32.	Comté de Northumberland	Comté de Northumberland
33.	Comté d'Oxford	Comté d'Oxford
34.	Comté de Perth, Cité de Stratford et Ville de St. Marys	Cité de Stratford
35.	Comté de Peterborough et Cité de Peterborough	Cité de Peterborough
36.	Comté de Prescott et Russell	Comté de Prescott et Russell
37.	Comté de Renfrew, y compris la Cité de Pembroke	Comté de Renfrew
38.	Comté de Simcoe	Comté de Simcoe
39.	Cité de Barrie	Cité de Barrie
40.	Cité d'Orillia	Cité d'Orillia
41.	Comté de Stormont, Dundas et Glengarry	Comté de Stormont, Dundas et Glengarry
42.	Cité de Cornwall	Cité de Cornwall
43.	Comté de Victoria	Comté de Victoria
44.	Comté de Wellington et Cité de Guelph	Comté de Wellington
45.	District que le Règlement de l'Ontario 278/98 désigne comme district que sert le conseil d'administration des services sociaux du district d'Algoma	Conseil d'administration des services sociaux du district d'Algoma
46.	District que le Règlement de l'Ontario 278/98 désigne comme district que sert le conseil d'administration des services sociaux du district de Sault Ste. Marie	Conseil d'administration des services sociaux du district de Sault Ste. Marie
47.	District que le Règlement de l'Ontario 278/98 désigne comme district que sert le conseil d'administration des services sociaux du district de Cochrane	Conseil d'administration des services sociaux du district de Cochrane
48.	Cité de Dryden	Cité de Dryden
49.	Canton de Machin	Canton de Machin
50.	Ville de Kenora	Ville de Kenora
51.	Ville de Keewatin	Ville de Keewatin
52.	Ville de Jaffray Melick	Ville de Jaffray Melick
53.	Canton de Sioux Narrows	Canton de Sioux Narrows
54.	Ville de Sioux Lookout	Ville de Sioux Lookout
55.	Canton d'Ignace	Canton d'Ignace

ITEM	GEOGRAPHIC AREAS	DELIVERY AGENTS
56.	Township of Red Lake	Township of Red Lake
57.	Township of Golden	Township of Golden
58.	Township of Ear Falls	Township of Ear Falls
59.	Township of Pickle Lake	Township of Pickle Lake
60.	Town of Gore Bay	Town of Gore Bay
61.	Town of Northeastern Manitoulin and The Islands	Town of Northeastern Manitoulin and The Islands
62.	Township of Assiginack	Township of Assiginack
63.	Township of Barrie Island	Township of Barrie Island
64.	Township of Billings	Township of Billings
65.	Township of Burpee and Mills	Township of Burpee and Mills
66.	Township of Central Manitoulin	Township of Central Manitoulin
67.	Township of Cockburn Island	Township of Cockburn Island
68.	Township of Gordon	Township of Gordon
69.	Township of Rutherford and George Island	Township of Rutherford and George Island
70.	Township of Tehkummah	Township of Tehkummah
71.	The district described in Ontario Regulation 278/98 for the District of Nipissing Social Services Administration Board	District of Nipissing Social Services Administration Board
72.	The district described in Ontario Regulation 278/98 for the District of Parry Sound Social Services Administration Board	District of Parry Sound Social Services Administration Board
73.	The district described in Ontario Regulation 278/98 for the District of Rainy River Social Services Administration Board	District of Rainy River Social Services Administration Board
74.	The district described in Ontario Regulation 278/98 for the District of Sudbury Social Services Administration Board	District of Sudbury Social Services Administration Board
75.	City of Thunder Bay	City of Thunder Bay
76.	Town of Geraldton	Town of Geraldton
77.	Town of Longlac	Town of Longlac
78.	Township of Beardmore	Township of Beardmore

NUMÉRO	ZONES GÉOGRAPHIQUES	AGENTS DE PRESTATION DES SERVICES
56.	Canton de Red Lake	Canton de Red Lake
57.	Canton de Golden	Canton de Golden
58.	Canton d'Ear Falls	Canton d'Ear Falls
59.	Canton de Pickle Lake	Canton de Pickle Lake
60.	Ville de Gore Bay	Ville de Gore Bay
61.	Ville de Northeastern Manitoulin and The Islands	Ville de Northeastern Manitoulin and The Islands
62.	Canton d'Assiginack	Canton d'Assiginack
63.	Canton de Barrie Island	Canton de Barrie Island
64.	Canton de Billings	Canton de Billings
65.	Canton de Burpee et Mills	Canton de Burpee et Mills
66.	Canton de Central Manitoulin	Canton de Central Manitoulin
67.	Canton de Cockburn Island	Canton de Cockburn Island
68.	Canton de Gordon	Canton de Gordon
69.	Canton de Rutherford et George Island	Canton de Rutherford et George Island
70.	Canton de Tehkummah	Canton de Tehkummah
71.	District que le Règlement de l'Ontario 278/98 désigne comme district que sert le conseil d'administration des services sociaux du district de Nipissing	Conseil d'administration des services sociaux du district de Nipissing
72.	District que le Règlement de l'Ontario 278/98 désigne comme district que sert le conseil d'administration des services sociaux du district de Parry Sound	Conseil d'administration des services sociaux du district de Parry Sound
73.	District que le Règlement de l'Ontario 278/98 désigne comme district que sert le conseil d'administration des services sociaux du district de Rainy River	Conseil d'administration des services sociaux du district de Rainy River
74.	District que le Règlement de l'Ontario 278/98 désigne comme district que sert le conseil d'administration des services sociaux du district de Sudbury	Conseil d'administration des services sociaux du district de Sudbury
75.	Cité de Thunder Bay	Cité de Thunder Bay
76.	Ville de Geraldton	Ville de Geraldton
77.	Ville de Longlac	Ville de Longlac
78.	Canton de Beardmore	Canton de Beardmore

ITEM	GEOGRAPHIC AREAS	DELIVERY AGENTS
79.	Township of Nakina	Township of Nakina
80.	Town of Marathon	Town of Marathon
81.	Township of Conmee	Township of Conmee
82.	Township of Dorion	Township of Dorion
83.	Township of Gillies	Township of Gillies
84.	Township of Neebing	Township of Neebing
85.	Township of Nipigon	Township of Nipigon
86.	Township of O'Connor	Township of O'Connor
87.	Township of Oliver Paipoonge	Township of Oliver Paipoonge
88.	Township of Schreiber	Township of Schreiber
89.	Township of Terrace Bay	Township of Terrace Bay
90.	Township of Shuniah	Township of Shuniah
91.	Township of Manitouwadge	Township of Manitouwadge
92.	Township of Red Rock	Township of Red Rock
93.	The district described in Ontario Regulation 278/98 for the District of Timiskaming Social Services Administration Board	District of Timiskaming Social Services Administration Board

2. This Regulation comes into force on February 1, 1999.

JANET ECKER
Minister of Community and Social Services

Dated on January 14, 1999.

7/99

NUMÉRO	ZONES GÉOGRAPHIQUES	AGENTS DE PRESTATION DES SERVICES
79.	Canton de Nakina	Canton de Nakina
80.	Ville de Marathon	Ville de Marathon
81.	Canton de Conmee	Canton de Conmee
82.	Canton de Dorion	Canton de Dorion
83.	Canton de Gillies	Canton de Gillies
84.	Canton de Neebing	Canton de Neebing
85.	Canton de Nipigon	Canton de Nipigon
86.	Canton d'O'Connor	Canton d'O'Connor
87.	Canton d'Oliver Paipoonge	Canton d'Oliver Paipoonge
88.	Canton de Schreiber	Canton de Schreiber
89.	Canton de Terrace Bay	Canton de Terrace Bay
90.	Canton de Shuniah	Canton de Shuniah
91.	Canton de Manitouwadge	Canton de Manitouwadge
92.	Canton de Red Rock	Canton de Red Rock
93.	District que le Règlement de l'Ontario 278/98 désigne comme district que sert le conseil d'administration des services sociaux du district de Timiskaming	Conseil d'administration des services sociaux du district de Timiskaming

2. Le présent règlement entre en vigueur le 1^{er} février 1999.

JANET ECKER
Ministre des Services sociaux et communautaires

Fait le 14 janvier 1999.

ONTARIO REGULATION 34/99
made under the
ONTARIO WORKS ACT, 1997

Made: January 27, 1999
Filed: January 28, 1999

Amending O. Reg. 135/98
(Administration and Cost Sharing)

Note: Ontario Regulation 135/98 has previously been amended by Ontario Regulations 228/98, 274/98, 548/98 and 549/98.

1. (1) Subsection 7 (1) of Ontario Regulation 135/98 is amended by striking out the portion before clause (a) and substituting the following:

RÈGLEMENT DE L'ONTARIO 34/99
pris en application de la
LOI DE 1997 SUR LE PROGRAMME
ONTARIO AU TRAVAIL

pris le 27 janvier 1999
déposé le 28 janvier 1999

modifiant le Règl. de l'Ont. 135/98
(Administration et partage des coûts)

Remarque : Le Règlement de l'Ontario 135/98 a été modifié antérieurement par les Règlements de l'Ontario 228/98, 274/98, 548/98 et 549/98.

1. (1) Le paragraphe 7 (1) du Règlement de l'Ontario 135/98 est modifié par substitution de ce qui suit au passage précédant l'alinéa a) :

(1) Subject to subsections (2), (2.1) and (3), the subsidy payable by Ontario to a delivery agent shall be equal to the sum of,

(2) Section 7 of the Regulation is amended by adding the following subsection:

(2.1) If a delivery agent's geographic area includes territory without municipal organization, the subsidy payable by Ontario to the delivery agent shall be equal to the sum of,

- (a) 80 per cent of the assistance costs incurred by the delivery agent in respect of assistance provided in a municipality;
- (b) 100 per cent of the assistance costs incurred by the delivery agent in respect of assistance provided in territory without municipal organization;
- (c) if the delivery agent employs a full-time administrator,
 - (i) 50 per cent of the delivery agent's reasonable cost of administration in respect of assistance provided in a municipality, as approved by the Director, and
 - (ii) 100 per cent of the delivery agent's reasonable cost of administration in respect of assistance provided in territory without municipal organization, as approved by the Director;
- (d) 50 per cent of the delivery agent's reasonable costs of staff training in respect of assistance provided in a municipality, as approved by the Director; and
- (e) 100 per cent of the delivery agent's reasonable costs of staff training in respect of assistance provided in territory without municipal organization, as approved by the Director.

2. This Regulation comes into force on February 1, 1999.

(1) Sous réserve des paragraphes (2), (2.1) et (3), le subside payable par l'Ontario à un agent de prestation des services est égal à la somme des montants suivants :

(2) L'article 7 du Règlement est modifié par adjonction du paragraphe suivant:

(2.1) Si la zone géographique d'un agent de prestation des services comprend un territoire non érigé en municipalité, le subside payable par l'Ontario à l'agent est égal à la somme des montants suivants :

- a) 80 pour cent des coûts de l'aide engagés par l'agent de prestation des services à l'égard de l'aide fournie dans une municipalité;
- b) 100 pour cent des coûts de l'aide engagés par l'agent de prestation des services à l'égard de l'aide fournie dans un territoire non érigé en municipalité;
- c) si l'agent de prestation des services emploie un administrateur à plein temps :
 - (i) d'une part, 50 pour cent des coûts d'administration raisonnables engagés par l'agent de prestation des services à l'égard de l'aide fournie dans une municipalité et approuvés par le directeur,
 - (ii) d'autre part, 100 pour cent des coûts d'administration raisonnables engagés par l'agent de prestation des services à l'égard de l'aide fournie dans un territoire non érigé en municipalité et approuvés par le directeur;
- d) 50 pour cent des coûts raisonnables de formation du personnel engagés par l'agent de prestation des services à l'égard de l'aide fournie dans une municipalité et approuvés par le directeur;
- e) 100 pour cent des coûts raisonnables de formation du personnel engagés par l'agent de prestation des services à l'égard de l'aide fournie dans un territoire non érigé en municipalité et approuvés par le directeur.

2. Le présent règlement entre en vigueur le 1^{er} février 1999.

7/99

ONTARIO REGULATION 35/99
made under the
SOCIAL ASSISTANCE REFORM ACT, 1997

Made: January 27, 1999
Filed: January 28, 1999

Amending O. Reg. 137/98
(Transition from General Welfare Assistance and
Family Benefits to Ontario Works)

Note: Ontario Regulation 137/98 has previously been amended by Ontario Regulations 229/98, 276/98, 550/98 and 551/98.

1. Subsection 23 (2) of Ontario Regulation 137/98 is revoked and the following substituted:

(2) The amount payable to Ontario by a delivery agent that is not in the Greater Toronto Area shall be equal to the sum of,

- (a) 20 per cent of the cost of assistance provided by or on behalf of Ontario to persons who reside within municipalities in the delivery agent's geographic area; and

RÈGLEMENT DE L'ONTARIO 35/99
pris en application de la
LOI DE 1997 SUR LA RÉFORME DE L'AIDE SOCIALE

pris le 27 janvier 1999
déposé le 28 janvier 1999

modifiant le Règl. de l'Ont. 137/98
(Transition de l'aide sociale générale et des prestations
familiales au programme Ontario au travail)

Remarque : Le Règlement de l'Ontario 137/98 a été modifié antérieurement par les Règlements de l'Ontario 229/98, 276/98, 550/98 et 551/98.

1. Le paragraphe 23 (2) du Règlement de l'Ontario 137/98 est abrogé et remplacé par ce qui suit :

(2) Le montant payable à l'Ontario par l'agent de prestation des services qui ne se trouve pas dans le grand Toronto est égal à la somme des montants suivants :

- a) 20 pour cent des coûts de l'aide fournie par l'Ontario ou en son nom aux personnes qui résident dans les municipalités situées dans la zone géographique de l'agent de prestation des services;

- (b) if the delivery agent employs a full-time welfare administrator or administrator, as the case may be, 50 per cent of the reasonable cost of administration attributable to municipalities in the delivery agent's geographic area.

2. This Regulation comes into force on February 1, 1999.

7/99

ONTARIO REGULATION 36/99

made under the

ONTARIO DISABILITY SUPPORT PROGRAM ACT, 1997

Made: January 27, 1999

Filed: January 28, 1999

Amending O. Reg. 225/98
(Administration and Cost Sharing)

Note: Ontario Regulation 225/98 has previously been amended by Ontario Regulations 275/98, 587/98 and 588/98.

1. Subsection 2 (1) of Ontario Regulation 225/98 is revoked and the following substituted:

(1) The amount payable to Ontario by a delivery agent that is not in the Greater Toronto Area shall be equal to the sum of,

- (a) 20 per cent of the cost of assistance provided by or on behalf of Ontario to persons who reside within municipalities in the delivery agent's geographic area; and
- (b) if the delivery agent employs a full-time administrator, 50 per cent of the reasonable cost of administration attributable to municipalities in the delivery agent's geographic area.

2. This Regulation comes into force on February 1, 1999.

7/99

ONTARIO REGULATION 37/99

made under the

DISTRICT SOCIAL SERVICES ADMINISTRATION BOARDS ACT

Made: January 27, 1999

Filed: January 28, 1999

Amending O. Reg. 278/98
(General)

Note: Ontario Regulation 278/98 has not previously been amended.

1. Ontario Regulation 278/98 is amended by adding the following section:

QUALIFICATIONS OF MEMBERS

3.1 (1) A member of a board who is not a member at large and who represents one or more municipalities shall be a member of a municipal council.

- b) si l'agent de prestation des services emploie à plein temps un administrateur de l'aide sociale ou un administrateur, selon le cas, 50 pour cent des coûts d'administration raisonnables qui sont imputables aux municipalités situées dans la zone géographique de l'agent.

2. Le présent règlement entre en vigueur le 1^{er} février 1999.

RÈGLEMENT DE L'ONTARIO 36/99

pris en application de la

LOI DE 1997 SUR LE PROGRAMME ONTARIEN DE SOUTIEN AUX PERSONNES HANDICAPÉES

pris le 27 janvier 1999

déposé le 28 janvier 1999

modifiant le Règl. de l'Ont. 225/98
(Administration et partage des coûts)

Remarque : Le Règlement de l'Ontario 225/98 a été modifié antérieurement par les Règlements de l'Ontario 275/98, 587/98 et 588/98.

1. Le paragraphe 2 (1) du Règlement de l'Ontario 225/98 est abrogé et remplacé par ce qui suit :

(1) Le montant payable à l'Ontario par l'agent de prestation des services qui ne se trouve pas dans le grand Toronto est égal à la somme des montants suivants :

- a) 20 pour cent des coûts de l'aide fournie par l'Ontario ou en son nom aux personnes qui résident dans les municipalités situées dans la zone géographique de l'agent de prestation des services;
- b) si l'agent de prestation des services emploie un administrateur à plein temps, 50 pour cent des coûts d'administration raisonnables qui sont imputables aux municipalités situées dans la zone géographique de l'agent.

2. Le présent règlement entre en vigueur le 1^{er} février 1999.

(2) A member of a board who is not a member at large and who represents territory without municipal organization shall be a Canadian citizen who is at least 18 years of age and,

- (a) a permanent resident of the territory without municipal organization;
- (b) an owner or tenant of property in the territory without municipal organization; or
- (c) the spouse of an owner or tenant of property in the territory without municipal organization.

(3) A member of a board shall not be an employee of the board.

2. Subsection 4 (4) of the Regulation is revoked and the following substituted:

(4) If a member who was appointed by one or more municipalities becomes ineligible to hold office as a board member, fails to attend three consecutive board meetings without the board's authorization, resigns or dies before the end of his or her term, the council or councils

that appointed the member shall appoint a new member to serve for the remainder of the term.

(5) If a member of a board represents an area set out in the Schedule for that board that is comprised of territory without municipal organization and that member becomes ineligible to hold office as a board member, fails to attend three consecutive board meetings without the board's authorization, resigns or dies before the end of his or her term, the board shall appoint a new member to serve that territory for the remainder of the term.

3. Section 6 of the Regulation is revoked and the following substituted:

6. (1) In this section and in section 7,

"tax ratio", with respect to a property, means the tax ratio established under section 363 of the *Municipal Act* for the property class it is in;

"weighted assessment" means the taxable assessment for a property multiplied by the tax ratio of the property class that the property is in.

(2) For the purposes of this section, if the area of jurisdiction of a board includes territory without municipal organization,

- (a) the costs of social services attributable to the areas of the board comprised of municipalities are the actual costs of social services for all of those areas, including the costs of administration with respect to those costs; and
- (b) the costs of social services attributable to the areas of the board comprised of territory without municipal organization are the actual costs of those social services for that territory, including the costs of administration with respect to those costs.

(3) The attribution of costs between municipalities and territory without municipal organization in accordance with subsection (2) must be approved by the Director under the *Ontario Works Act, 1997*.

(4) Subject to subsections (5) and (6), the amount determined under clause (2) (a) shall be apportioned among the municipalities in the board's district as follows:

- 1. When the assessment rolls of the municipalities in the district are returned to the clerks under section 36 of the *Assessment Act*, they shall also be provided to the board.
- 2. Each municipality shall provide the board with a copy of its by-law setting its tax ratios on or before the date it is required under section 363 of the *Municipal Act* to make the by-law.
- 3. The board shall determine, for each municipality, the amount to be apportioned to the municipality in accordance with the following formula:

$$A = B \times (C \div D)$$

where,

A = the amount to be apportioned to the municipality,

B = the amount determined under clause (2) (a),

C = the sum of the weighted assessments for all of the properties in the municipality,

D = the sum of the weighted assessments for all of the properties in all of the municipalities.

(5) The board may agree to apportion costs of social services in its district, including the costs of administration, in a way other than that provided in subsections (2) and (4) if,

- (a) a majority of the municipalities and members representing territory without municipal organization consent to that apportionment; and
- (b) those municipalities and members who have consented represent a majority of the electors in the board's district.

(6) Each of the municipalities set out in an area of a board set out in the Schedule for that board and each of the members of that board representing territory without municipal organization is entitled to one vote under clause (5) (a).

(7) For the purposes of clause (5) (b), if two or more members of the board represent an area set out in the Schedule for the board that is comprised of territory without municipal organization, a member who represents the area shall be deemed to represent the total number of electors in the area divided by the total number of board members who represent the area.

(8) A resolution of the municipal council is required for a municipality to consent under subsection (5) and a signed consent of a member representing territory without municipal organization is required for the member to consent under subsection (5).

(9) Each board whose area of jurisdiction includes territory without municipal organization shall inform the Minister responsible for each social service of the costs of that social service attributable to territory without municipal organization forthwith after determining those costs.

4. The Regulation is amended by adding the following section:

6.1 The interest that a board may impose on a municipality under subsection 6 (3) of the Act shall not exceed 1 per cent per month.

5. (1) Subsection 7 (1) of the Regulation is revoked and the following substituted:

(1) Each board shall in each year apportion among the jurisdictions in its district, in accordance with section 6, the amounts that it estimates will be required to defray the expenditures for social services for that year and shall on or before March 31 of that year notify,

- (a) the clerk of each municipality of the amount to be provided by that municipality; and
- (b) the Minister responsible for each social service of the amount to be provided by the Minister with respect to that social service under section 8 of the Act.

(2) Subsection 7 (2) of the Regulation is amended by striking out "among the municipalities and the clerk notified" at the end and substituting "and notification given in accordance with subsection (1)".

6. Schedules 1 to 5 to the Regulation are revoked and the following substituted:

Schedule 1

**THE DISTRICT OF ALGOMA SOCIAL SERVICES
ADMINISTRATION BOARD**

1. The district for the District of Algoma Social Services Administration Board is the District of Algoma, excluding the part of the District of Algoma that is part of the district for the District of Sault Ste. Marie Social Services Administration Board.

2. The District of Algoma Social Services Administration Board shall consist of 12 members and the areas they represent and the manner of their appointment shall be as follows:

1. Area 1 is the area of jurisdiction of the following municipalities and one member shall be appointed jointly by the municipal councils of those municipalities to represent Area 1:
 - i. The Corporation of the Township of Hornepayne.
 - ii. The Corporation of the Township of White River.
 - iii. The Corporation of the Township of Dubreuilville.
2. Area 2 is the area of jurisdiction of The Corporation of the Township of Michipicoten and one member shall be appointed by its municipal council to represent Area 2.
3. Area 3 is the area of jurisdiction of the following municipalities and two members shall be appointed jointly by the municipal councils of those municipalities to represent Area 3:
 - i. The Corporation of the Township of MacDonald, Meredith and Aberdeen Additional.
 - ii. The Corporation of the Township of Laird.
 - iii. The Corporation of the Township of Tarbutt and Tarbutt Additional.
 - iv. The Corporation of the Township of St. Joseph.
 - v. The Corporation of the Township of Jocelyn.
 - vi. The Corporation of the Township of Hilton.
 - vii. The Corporation of the Village of Hilton Beach.
 - viii. The Corporation of the Township of Johnson.
4. Area 4 is the area of jurisdiction of the following municipalities and two members shall be appointed jointly by the municipal councils of those municipalities to represent Area 4:
 - i. The Corporation of the Township of Plummer Additional.
 - ii. The Corporation of the Town of Bruce Mines.
 - iii. The Corporation of the Town of Thessalon.
 - iv. The Corporation of the Municipality of Huron Shores.
 - v. The Corporation of the Township of the North Shore.
 - vi. The Corporation of the Township of Shedden.
5. Area 5 is the area of jurisdiction of The Corporation of the Town of Blind River and one member shall be appointed by its municipal council to represent Area 5.
6. Area 6 is the area of jurisdiction of The Corporation of the City of Elliot Lake and four members shall be appointed by its municipal council to represent Area 6.
7. Area 7 is the territory without municipal organization within the district for the District of Algoma Social Services Administration Board and one member shall be selected by the residents of that territory to represent Area 7.

Schedule 2

THE DISTRICT OF COCHRANE SOCIAL SERVICES ADMINISTRATION BOARD

1. The district for the District of Cochrane Social Services Administration Board is the District of Cochrane.

2. The District of Cochrane Social Services Administration Board shall consist of 13 members and the areas they represent and the manner of their appointment shall be as follows:

1. One member at large shall be appointed by the Lieutenant Governor in Council.
2. Area 1 is the area of jurisdiction of The Corporation of the City of Timmins and six members shall be appointed by its municipal council to represent Area 1.
3. Area 2 is the area of jurisdiction of the following municipalities and one member shall be appointed jointly by the municipal councils of those municipalities to represent Area 2:
 - i. The Corporation of the Town of Hearst.
 - ii. The Corporation of the Township of Mattice-Val Côté.
4. Area 3 is the area of jurisdiction of the following municipalities and one member shall be appointed jointly by the municipal councils of those municipalities to represent Area 3:
 - i. The Corporation of the Township of Fauquier-Strickland.
 - ii. The Corporation of the Township of Moonbeam.
 - iii. The Corporation of the Town of Smooth Rock Falls.
 - iv. The Corporation of the Township of Opasatika.
 - v. The Corporation of the Township of Val Rita-Harty.
5. Area 4 is the area of jurisdiction of The Corporation of the Town of Kapuskasing and one member shall be appointed by its municipal council to represent Area 4.
6. Area 5 is the area of jurisdiction of the following municipalities and one member shall be appointed jointly by the municipal councils of those municipalities to represent Area 5:
 - i. The Corporation of the Town of Cochrane.
 - ii. The Corporation of the Township of Glackmeyer.
7. Area 6 is the area of jurisdiction of the following municipalities and one member shall be appointed jointly by the municipal councils of those municipalities to represent Area 6:
 - i. The Corporation of the Town of Iroquois Falls.
 - ii. The Corporation of the Township of Black River-Matheson.
8. Area 7 is the territory without municipal organization within the district for the District of Cochrane Social Services Administration Board and one member shall be selected by the residents of that territory to represent Area 7.

Schedule 3

THE DISTRICT OF NIPISSING SOCIAL SERVICES ADMINISTRATION BOARD

1. The district for the District of Nipissing Social Services Administration Board is the District of Nipissing and the part of the District of Sudbury that is within the area of jurisdiction of The Corporation of the Municipality of West Nipissing.
2. The District of Nipissing Social Services Administration Board shall consist of nine members and the areas they represent and the manner of their appointment shall be as follows:
 1. Area 1 is the area of jurisdiction of The Corporation of the City of North Bay and five members shall be appointed by its municipal council to represent Area 1.

2. Area 2 is the area of jurisdiction of The Corporation of the Municipality of West Nipissing and one member shall be appointed by its municipal council to represent Area 2.
3. Area 3 is the area of jurisdiction of the following municipalities and one member shall be appointed jointly by the municipal councils of those municipalities to represent Area 3:
 - i. The Corporation of the Township of Bonfield.
 - ii. The Corporation of the Township of Calvin.
 - iii. The Corporation of the Township of Chisholm.
 - iv. The Corporation of the Township of East Ferris.
 - v. The Corporation of the Town of Mattawa.
 - vi. The Corporation of the Township of Mattawan.
 - vii. The Corporation of the Township of Papineau-Cameron.
4. Area 4 is the area of jurisdiction of the following municipalities and one member shall be appointed jointly by the municipal councils of those municipalities to represent Area 4:
 - i. The Corporation of the Municipality of Temagami.
 - ii. The Corporation of the Township of South Algonquin.
5. Area 5 is the territory without municipal organization within the district for the District of Nipissing Social Services Administration Board and one member shall be selected by the residents of that territory to represent Area 5.
4. Area 4 is the area of jurisdiction of the following municipalities and two members shall be appointed jointly by the municipal councils of those municipalities to represent Area 4:
 - i. The Corporation of the Town of Kearney.
 - ii. The Corporation of the Village of Burk's Falls.
 - iii. The Corporation of the Township of Armour.
 - iv. The Corporation of the Township of Perry.
 - v. The Corporation of the Township of Ryerson.
 - vi. The Corporation of the Township of McMurrich-Monteith.
5. Area 5 is the area of jurisdiction of the following municipalities and two members shall be appointed jointly by the municipal councils of those municipalities to represent Area 5:
 - i. The Corporation of the Village of South River.
 - ii. The Corporation of the Village of Sundridge.
 - iii. The Corporation of the Township of Joly.
 - iv. The Corporation of the Township of Machar.
 - v. The Corporation of the Township of Strong.
 - vi. The Corporation of the Township of Magnetawan.
6. Area 6 is the area of jurisdiction of the following municipalities and two members shall be appointed jointly by the municipal councils of those municipalities to represent Area 6:
 - i. The Corporation of the Town of Powassan.
 - ii. The Corporation of the Town of Trout Creek.
 - iii. The Corporation of the Township of Himsworth North.
 - iv. The Corporation of the Township of Himsworth South.
 - v. The Corporation of the Township of Nipissing.
7. Area 7 is the territory without municipal organization within the district for the District of Parry Sound Social Services Administration Board and two members shall be selected by the residents of that territory to represent Area 7.

Schedule 4

THE DISTRICT OF PARRY SOUND SOCIAL SERVICES ADMINISTRATION BOARD

1. The district for the District of Parry Sound Social Services Administration Board is the District of Parry Sound, excluding the area of jurisdiction of The Corporation of the Municipality of Killarney.

2. The District of Parry Sound Social Services Administration Board shall consist of 15 members and the areas they represent and the manner of their appointment shall be as follows:

1. Area 1 is the area of jurisdiction of The Corporation of the Township of Seguin and two members shall be appointed by its municipal council to represent Area 1.
2. Area 2 is the area of jurisdiction of the following municipalities and three members shall be appointed jointly by the municipal councils of those municipalities to represent Area 2:
 - i. The Corporation of the Township of Archipelago.
 - ii. The Corporation of the Town of Parry Sound.
3. Area 3 is the area of jurisdiction of the following municipalities and two members shall be appointed jointly by the municipal councils of those municipalities to represent Area 3:
 - i. The Corporation of the Township of Carling.
 - ii. The Corporation of the Township of Hagerman.
 - iii. The Corporation of the Township of McDougall.
 - iv. The Corporation of the Township of McKellar.

Schedule 5

THE DISTRICT OF RAINY RIVER SOCIAL SERVICES ADMINISTRATION BOARD

1. The district for the District of Rainy River Social Services Administration Board is the District of Rainy River, the area of jurisdiction of The Corporation of the Township of Lake of the Woods and the area of jurisdiction of the Nestor Falls Local Services Board.

2. The District of Rainy River Social Services Administration Board shall consist of 13 members and the areas they represent and the manner of their appointment shall be as follows:

1. Area 1 is the area of jurisdiction of The Corporation of the Town of Fort Frances and one member shall be appointed by its municipal council to represent Area 1.
2. Area 2 is the area of jurisdiction of The Corporation of the Township of Atikokan and one member shall be appointed by its municipal council to represent Area 2.
3. Area 3 is the area of jurisdiction of The Corporation of the Township of Emo and one member shall be appointed by its municipal council to represent Area 3.

4. Area 4 is the area of jurisdiction of The Corporation of the Township of La Vallée and one member shall be appointed by its municipal council to represent Area 4.
5. Area 5 is the area of jurisdiction of The Corporation of the Town of Rainy River and one member shall be appointed by its municipal council to represent Area 5.
6. Area 6 is the area of jurisdiction of The Corporation of the Township of Alberton and one member shall be appointed by its municipal council to represent Area 6.
7. Area 7 is the area of jurisdiction of The Corporation of the Township of Chapple and one member shall be appointed by its municipal council to represent Area 7.
8. Area 8 is the area of jurisdiction of The Corporation of the Township of Dawson and one member shall be appointed by its municipal council to represent Area 8.
9. Area 9 is the area of jurisdiction of The Corporation of the Township of Morley and one member shall be appointed by its municipal council to represent Area 9.
10. Area 10 is the area of jurisdiction of The Corporation of the Township of Lake of the Woods and one member shall be appointed by its municipal council to represent Area 10.
11. Area 11 is the territory without municipal organization located within the area of jurisdiction of the Nestor Falls Local Services Board and the territory without municipal organization that is located westerly from the northwest corner of Indian Reserve 16D on a line projected northward astronomically to the point of intersection with the District of Kenora to the westerly boundary of the District of Rainy River and one member shall be selected by the residents of those territories to represent Area 11.
12. Area 12 is the territory without municipal organization that is located easterly from the northwest corner of Indian Reserve 16D on a line projected northward astronomically to the point of intersection with the District of Kenora and easterly to the 5th Meridian Line and one member shall be selected by the residents of that territory to represent Area 12.
13. Area 13 is the territory without municipal organization that is located from the easterly boundary of the District of Rainy River northward until it intersects with the District of Kenora, westerly until the 5th Meridian Line which lies on the west boundary of the unincorporated area of Bennett and one member shall be selected by the residents of that territory to represent Area 13.

Schedule 5.1

THE DISTRICT OF SAULT STE. MARIE SOCIAL SERVICES ADMINISTRATION BOARD

1. The district for the District of Sault Ste. Marie Social Services Administration Board is the area of jurisdiction of The Corporation of the City of Sault Ste. Marie, the area of jurisdiction of The Corporation of the Township of Prince and the territory without municipal organization that is within the planning area for the Sault North Planning Board.
2. The District of Sault Ste. Marie Social Services Administration Board shall consist of nine members and the areas they represent and the manner of their appointment shall be as follows:
 1. Area 1 is the area of jurisdiction of The Corporation of the City of Sault Ste. Marie and six members shall be appointed by its municipal council to represent Area 1.
 2. Area 2 is the area of jurisdiction of The Corporation of the Township of Prince and one member shall be appointed by its municipal council to represent Area 2.

3. Area 3 is the territory without municipal organization that is within the planning area for the Sault North Planning Board and two members shall be selected by the residents of that territory to represent Area 3.

7. The Regulation is amended by adding the following Schedule:

Schedule 7

THE DISTRICT OF TIMISKAMING SOCIAL SERVICES ADMINISTRATION BOARD

1. The district for the District of Timiskaming Social Services Administration Board is the District of Timiskaming.
2. The District of Timiskaming Social Services Administration Board shall consist of nine members and the areas they represent and the manner of their appointment shall be as follows:
 1. Area 1 is the area of jurisdiction of The Corporation of the Town of Kirkland Lake and two members shall be appointed by its municipal council to represent Area 1.
 2. Area 2 is the area of jurisdiction of the following municipalities and one member shall be appointed jointly by the municipal councils of those municipalities to represent Area 2:
 - i. The Corporation of the Town of Englehart.
 - ii. The Corporation of the Township of McGarry.
 - iii. The Corporation of the Township of Larder Lake.
 - iv. The Corporation of the Township of Gauthier.
 - v. The Corporation of the Township of Chamberlain.
 - vi. The Corporation of the Town of Charlton.
 - vii. The Corporation of the Township of Evanturel.
 3. Area 3 is the area of jurisdiction of The Corporation of the Town of Haileybury and one member shall be appointed by its municipal council to represent Area 3.
 4. Area 4 is the area of jurisdiction of the following municipalities and one member shall be appointed jointly by the municipal councils of those municipalities to represent Area 4:
 - i. The Corporation of the Township of Hudson.
 - ii. The Corporation of the Township of Kerns.
 - iii. The Corporation of the Town of Latchford.
 - iv. The Corporation of the Township of Coleman.
 - v. The Corporation of the Town of Cobalt.
 - vi. The Corporation of the Township of Harris.
 - vii. The Corporation of the Township of Dymond.
 5. Area 5 is the area of jurisdiction of the following municipalities and one member shall be appointed jointly by the municipal councils of those municipalities to represent Area 5:
 - i. The Corporation of the Township of James.
 - ii. The Corporation of the Township of Matachewan.
 - iii. The Corporation of the Township of Armstrong.

- iv. The Corporation of the Township of Hilliard.
 - v. The Corporation of the Township of Brethour.
 - vi. The Corporation of the Village of Thornloe.
 - vii. The Corporation of the Township of Dack.
 - viii. The Corporation of the Township of Harley.
 - ix. The Corporation of the Township of Casey.
6. Area 6 is the area of jurisdiction of The Corporation of the Town of New Liskeard and one member shall be appointed by its municipal council to represent Area 6.
7. Area 7 is the territory without municipal organization consisting of the following geographic townships and one member shall be selected jointly by the residents of those geographic townships to represent Area 7:

Hillary, Reynolds, McKeown, Fripp, McArthur, Douglas, Fal-lon, Fasken, Michie, Nordica, Terry, Lee, Maisonneville, Arnold, Katrine, Ossian, Pharand, Childerhouse, Doyle, Musgrove, Bartlett, Geikie, Cleaver, McNeil, Robertson, Sheba, Dunmore,

Bompas, Grenfell, Lebel, Hincks, Argule, Baden, Alma, Holmes, Burt, Eby, Otto, Boston, McElroy, McFadden, Montrose, Bannockburn, Flavelle, Gross, Blain, Marquis, Pacaud, Catharine, Rattray, Willison, Davidson, Sharpe, Savard, Marter, Bayly, Mulligan.

8. Area 8 is the territory without municipal organization consisting of the following geographic townships and one member shall be selected jointly by the residents of those geographic townships to represent Area 8:

Raymond, Rankin, Morel, Shillington, Farr, Smyth, Truax, Robillard, Ingram, Pense, Knight, Van Hise, Haultain, Chown, Mickle, Tudhope, Bryce, Beauchamp, Tyrrell, Milner, Nicol, Lawson, Roadhouse, Willet, Barber, Cane, Henwood, Leonard, Leith, Charters, Corkill, Wallis, Banks, Speight, Auld, Lundy, North Williams, Ray, Donovan, Brewster, Trethewey, Whitson, van Nostrand, Klock, Barr, Firstbrook, Dufferin, Leckie, Corley, Gamble, McGriffin, Rorke, Leo, Dane, Kittson, Medina, Cole, Brigstocke, Gillies Limit, Lorrain, South Lorrain.

8. This Regulation comes into force on February 1, 1999.

7/99

ONTARIO REGULATION 38/99
made under the
DAY NURSERIES ACT

Made: January 27, 1999
Filed: January 28, 1999

Amending Reg. 262 of R.R.O. 1990
(General)

Note: Since the end of 1997, Regulation 262 has been amended by Ontario Regulations 139/98, 231/98 and 277/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. The definition of "wage subsidy" in section 1 of Regulation 262 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

"wage subsidy" means a subsidy for the enhancement of salaries and benefits for employees of day nurseries, private-home day care agencies, resource centres and agencies that provide staff, equipment, supplies or services for the purposes of paragraph 4 of subsection 66.1 (2); ("subvention salariale")

2. Section 67.1 of the Regulation is revoked and the following substituted:

67.1 (1) The amount payable to a delivery agent under an agreement with the delivery agent under section 7.2 of the Act with respect to the services prescribed under paragraphs 1, 2, and 7 of subsection 66.1 (2) is,

- (a) 80 per cent of the total costs to be paid for services prescribed under paragraphs 1, 2, and 7 of subsection 66.1 (2) that are provided in municipalities, as set out in the agreement;
- (b) 100 per cent of the total costs to be paid for services prescribed under paragraphs 1, 2, and 7 of subsection 66.1 (2) that are provided in territory without municipal organization, as set out in the agreement; and

RÈGLEMENT DE L'ONTARIO 38/99
pris en application de la
LOI SUR LES GARDERIES

pris le 27 janvier 1999
déposé le 28 janvier 1999

modifiant le Règl. 262 des R.R.O. de 1990
(Dispositions générales)

Remarque : Depuis la fin de 1997, le Règlement 262 a été modifié par les Règlements de l'Ontario 139/98, 231/98 et 277/98. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1997.

1. La définition de «subvention salariale» à l'article 1 du Règlement 262 des Règlements refondus de l'Ontario de 1990 est abrogée et remplacée par ce qui suit :

«subvention salariale» Subvention visant à améliorer le traitement et les avantages sociaux des employés de garderies, d'agences de garde d'enfants en résidence privée, de centres de documentation et d'organismes qui fournissent le personnel, l'équipement, les fournitures ou les services pour l'application de la disposition 4 du paragraphe 66.1 (2). («wage subsidy»)

2. L'article 67.1 du Règlement est abrogé et remplacé par ce qui suit :

67.1 (1) Le montant payable à un agent de prestation des services aux termes d'une entente conclue avec celui-ci en vertu de l'article 7.2 de la Loi relativement aux services prescrits aux termes des dispositions 1, 2 et 7 du paragraphe 66.1 (2) équivaut à ce qui suit :

- (a) 80 pour cent de la totalité des frais à engager pour les services prescrits aux termes des dispositions 1, 2 et 7 du paragraphe 66.1 (2) qui sont fournis dans les municipalités, comme l'énonce l'entente;
- (b) 100 pour cent de la totalité des frais à engager pour les services prescrits aux termes des dispositions 1, 2 et 7 du paragraphe 66.1 (2) qui sont fournis dans un territoire non érigé en municipalité, comme l'énonce l'entente;

(c) 100 per cent of the delivery agent's costs of administration attributable to the agreement in respect of services prescribed under paragraphs 1, 2, and 7 of subsection 66.1 (2) that are provided in territory without municipal organization, as approved by the Director.

(2) The amount payable to a delivery agent under an agreement with the delivery agent under section 7.2 of the Act with respect to the services prescribed under paragraphs 3 and 4 of subsection 66.1 (2) is,

(a) 80 per cent of the total costs to be paid for services prescribed under paragraphs 3 and 4 of subsection 66.1 (2) that are provided in municipalities, including the costs of providing wage subsidies, as set out in the agreement;

(b) 100 per cent of the total costs to be paid for services prescribed under paragraphs 3 and 4 of subsection 66.1 (2) that are provided in territory without municipal organization, including the costs of providing wage subsidies, as set out in the agreement; and

(c) 100 per cent of the delivery agent's costs of administration attributable to the agreement in respect of services prescribed under paragraphs 3 and 4 of subsection 66.1 (2) that are provided in territory without municipal organization, as approved by the Director.

(3) The amount payable to a delivery agent under an agreement with the delivery agent under section 7.2 of the Act with respect to the services prescribed under paragraphs 5 and 6 of subsection 66.1 (2) is,

(a) with respect to children whose parents are persons in need and who are in attendance at day nurseries or private-home day care in municipalities, 80 per cent of the operating costs of providing those day nursery services or that private-home day care for those children or, if the fees payable by their parents exceed 20 per cent of those operating costs, the amount necessary to ensure that the sum of the amount payable to the delivery agent and the fees payable by their parents equals those operating costs;

(b) with respect to children whose parents are persons in need and who are in attendance at day nurseries or private-home day care in territory without municipal organization, 100 per cent of the operating costs of providing those day nursery services or that private-home day care for those children;

(c) 100 per cent of the delivery agent's costs of administration attributable to the purchase of day nursery services or private-home day care for children whose parents are persons in need and who are in attendance at day nurseries or private-home day care in territory without municipal organization, as approved by the Director;

(d) with respect to handicapped children in attendance at day nurseries or private-home day care in municipalities, 80 per cent of the operating costs of providing those day nursery services or that private-home day care for those handicapped children or, if the fees payable by their parents exceed 20 per cent of those operating costs, the amount necessary to ensure that the sum of the amount payable to the delivery agent and the fees payable by their parents equals those operating costs;

(e) with respect to handicapped children in attendance at day nurseries or private-home day care in territory without municipal organization, 100 per cent of the operating costs of providing those day nursery services or that private-home day care for those handicapped children;

c) 100 pour cent des coûts d'administration engagés par l'agent de prestation des services dans le cadre de l'entente relativement aux services prescrits aux termes des dispositions 1, 2 et 7 du paragraphe 66.1 (2) qui sont fournis dans un territoire non érigé en municipalité, tels qu'ils sont approuvés par le directeur.

(2) Le montant payable à un agent de prestation des services aux termes d'une entente conclue avec celui-ci en vertu de l'article 7.2 de la Loi relativement aux services prescrits aux termes des dispositions 3 et 4 du paragraphe 66.1 (2) équivaut à ce qui suit :

a) 80 pour cent de la totalité des frais à engager pour les services prescrits aux termes des dispositions 3 et 4 du paragraphe 66.1 (2) qui sont fournis dans les municipalités, y compris les frais à engager au titre des subventions salariales, comme l'énonce l'entente;

b) 100 pour cent de la totalité des frais à engager pour les services prescrits aux termes des dispositions 3 et 4 du paragraphe 66.1 (2) qui sont fournis dans un territoire non érigé en municipalité, y compris les frais à engager au titre des subventions salariales, comme l'énonce l'entente;

c) 100 pour cent des coûts d'administration engagés par l'agent de prestation des services dans le cadre de l'entente relativement aux services prescrits aux termes des dispositions 3 et 4 du paragraphe 66.1 (2) qui sont fournis dans un territoire non érigé en municipalité, tels qu'ils sont approuvés par le directeur.

(3) Le montant payable à un agent de prestation des services aux termes d'une entente conclue avec celui-ci en vertu de l'article 7.2 de la Loi relativement aux services prescrits aux termes des dispositions 5 et 6 du paragraphe 66.1 (2) équivaut à ce qui suit :

a) relativement aux enfants dont le père et la mère sont des personnes dans le besoin et qui fréquentent des garderies ou reçoivent des services de garde d'enfants en résidence privée dans des municipalités, 80 pour cent des frais d'exploitation engagés pour fournir ces services de garderie ou de garde d'enfants en résidence privée à ces enfants ou, si les droits d'inscription payables par leurs père et mère dépassent 20 pour cent de ces frais d'exploitation, le montant nécessaire pour que la somme du montant payable à l'agent de prestation des services et des droits d'inscription payables par leurs père et mère soit égale au montant de ces frais d'exploitation;

b) relativement aux enfants dont le père et la mère sont des personnes dans le besoin et qui fréquentent des garderies ou reçoivent des services de garde d'enfants en résidence privée dans un territoire non érigé en municipalité, 100 pour cent des frais d'exploitation engagés pour fournir ces services de garderie ou de garde d'enfants en résidence privée à ces enfants;

c) 100 pour cent des coûts d'administration engagés par l'agent de prestation des services pour l'achat de services de garderie ou de garde d'enfants en résidence privée à l'intention des enfants dont le père et la mère sont des personnes dans le besoin et qui fréquentent des garderies ou reçoivent des services de garde d'enfants en résidence privée dans un territoire non érigé en municipalité, tels qu'ils sont approuvés par le directeur;

d) relativement aux enfants handicapés qui fréquentent des garderies ou reçoivent des services de garde d'enfants en résidence privée dans des municipalités, 80 pour cent des frais d'exploitation engagés pour fournir ces services de garderie ou de garde d'enfants en résidence privée à ces enfants ou, si les droits d'inscription payables par leurs père et mère dépassent 20 pour cent de ces frais d'exploitation, le montant nécessaire pour que la somme du montant payable à l'agent de prestation des services et des droits d'inscription payables par leurs père et mère soit égale au montant de ces frais d'exploitation;

e) relativement aux enfants handicapés qui fréquentent des garderies ou reçoivent des services de garde d'enfants en résidence privée dans un territoire non érigé en municipalité, 100 pour cent des frais d'exploitation engagés pour fournir ces services de garderie ou de garde d'enfants en résidence privée à ces enfants;

- (f) 100 per cent of the delivery agent's costs of administration attributable to the purchase of day nursery services or private-home day care for handicapped children who are in attendance at day nurseries or private-home day care in territory without municipal organization, as approved by the Director;
- (g) 80 per cent of the costs incurred by the delivery agent under the agreement with respect to determining whether parents in municipalities are persons in need;
- (h) 100 per cent of the costs incurred by the delivery agent under the agreement with respect to determining whether parents in territory without municipal organization are persons in need;
- (i) with respect to wage subsidies or provider enhancement grants in municipalities, 80 per cent of the costs of providing those wage subsidies or those provider enhancement grants; and
- (j) with respect to wage subsidies or provider enhancement grants in territory without municipal organization, 100 per cent of the costs of providing those wage subsidies or those provider enhancement grants.

(4) In subsection (3),

"operating costs" does not include wage subsidies or provider enhancement grants.

3. Subsections 68.1 (1) and (2) of the Regulation are revoked and the following substituted:

(1) The amount payable to a municipality or prescribed board under an agreement with the municipality or prescribed board under section 7.2 of the Act with respect to the services prescribed under paragraph 9 of subsection 66.1 (1) is,

- (a) 80 per cent of the total costs to be paid for services prescribed under paragraph 9 of subsection 66.1 (1) that are provided in municipalities, as set out in the agreement; and
- (b) 100 per cent of the total costs to be paid for services prescribed under paragraph 9 of subsection 66.1 (1) that are provided in territory without municipal organization, as set out in the agreement.

(2) The amount payable to a municipality or prescribed board under an agreement with the municipality or prescribed board under section 7.2 of the Act with respect to the services prescribed under paragraph 1, 3 or 4 of subsection 66.1 (1) is 100 per cent of the total cost to be paid for those services, as set out in the agreement.

4. Section 68.2 of the Regulation is revoked and the following substituted:

68.2 (1) Every Ontario Works delivery agent shall pay to Ontario 20 per cent of the total cost to be paid for services, as set out in an agreement under section 7.2 of the Act with a municipality, a prescribed board or another person, if those services are prescribed under paragraph 1, 2 or 4 of subsection 66.1 (1) and are provided in a municipality in the geographic area under the *Ontario Works Act, 1997* with respect to which the Ontario Works delivery agent provides assistance under that Act.

(2) Every Ontario Works delivery agent shall pay to Ontario 20 per cent of the total cost to be paid for services other than wage subsidies, as set out in an agreement under section 7.2 of the Act with a municipality, a prescribed board or another person, if those services are prescribed under paragraph 3 of subsection 66.1 (1) and are provided in a municipality in the geographic area under the *Ontario Works Act, 1997*

- f) 100 pour cent des coûts d'administration engagés par l'agent de prestation des services pour l'achat de services de garderie ou de garde d'enfants en résidence privée à l'intention des enfants handicapés qui fréquentent des garderies ou reçoivent des services de garde d'enfants en résidence privée dans un territoire non érigé en municipalité, tels qu'ils sont approuvés par le directeur;
- g) 80 pour cent des frais engagés par l'agent de prestation des services aux termes de l'entente pour déterminer si les père et mère qui sont dans une municipalité sont des personnes dans le besoin;
- h) 100 pour cent des frais engagés par l'agent de prestation des services aux termes de l'entente pour déterminer si les père et mère qui sont dans un territoire non érigé en municipalité sont des personnes dans le besoin;
- i) relativement aux subventions salariales ou aux subventions d'aide aux fournisseurs qui sont fournies dans les municipalités, 80 pour cent des frais engagés pour fournir ces subventions salariales ou subventions d'aide aux fournisseurs;
- j) relativement aux subventions salariales ou aux subventions d'aide aux fournisseurs qui sont fournies dans un territoire non érigé en municipalité, 100 pour cent des frais engagés pour fournir ces subventions salariales ou subventions d'aide aux fournisseurs.

(4) La définition qui suit s'applique au paragraphe (3).

«frais d'exploitation» Ne s'entend pas des subventions salariales ou des subventions d'aide aux fournisseurs.

3. Les paragraphes 68.1 (1) et (2) du Règlement sont abrogés et remplacés par ce qui suit :

(1) Le montant payable à une municipalité ou à un conseil prescrit aux termes d'une entente conclue avec l'un ou l'autre en vertu de l'article 7.2 de la Loi relativement aux services prescrits aux termes de la disposition 9 du paragraphe 66.1 (1) équivaut à ce qui suit :

- a) 80 pour cent de la totalité des frais à engager pour les services prescrits aux termes de la disposition 9 du paragraphe 66.1 (1) qui sont fournis dans les municipalités, comme l'énonce l'entente;
- b) 100 pour cent de la totalité des frais à engager pour les services prescrits aux termes de la disposition 9 du paragraphe 66.1 (1) qui sont fournis dans un territoire non érigé en municipalité, comme l'énonce l'entente.

(2) Le montant payable à une municipalité ou à un conseil prescrit aux termes d'une entente conclue avec l'un ou l'autre en vertu de l'article 7.2 de la Loi relativement aux services prescrits aux termes de la disposition 1, 3 ou 4 du paragraphe 66.1 (1) équivaut à 100 pour cent de la totalité des frais à engager pour ces services, comme l'énonce l'entente.

4. L'article 68.2 du Règlement est abrogé et remplacé par ce qui suit :

68.2 (1) Chaque agent de prestation des services du programme Ontario au travail verse à l'Ontario 20 pour cent de la totalité des frais à engager au titre des services, tels que ces frais sont énoncés dans une entente conclue en vertu de l'article 7.2 de la Loi avec une municipalité, un conseil prescrit ou une autre personne, si ces services sont prescrits aux termes de la disposition 1, 2 ou 4 du paragraphe 66.1 (1) et sont fournis dans une municipalité située dans la zone géographique prévue par la *Loi de 1997 sur le programme Ontario au travail* et à l'égard de laquelle l'agent de prestation des services du programme Ontario au travail fournit une aide aux termes de cette loi.

(2) Chaque agent de prestation des services du programme Ontario au travail verse à l'Ontario 20 pour cent de la totalité des frais à engager au titre des services, autres que les subventions salariales, tels que ces frais sont énoncés dans une entente conclue en vertu de l'article 7.2 de la Loi avec une municipalité, un conseil prescrit ou une autre personne, si ces services sont prescrits aux termes de la disposition 3 du para-

with respect to which the Ontario Works delivery agent provides assistance under that Act.

(3) Every Ontario Works delivery agent shall pay to Ontario 20 per cent of the total cost to be paid for wage subsidies and for provider enhancement grants, as set out in an agreement under section 7.2 of the Act with a municipality, a prescribed board or another person, if the wage subsidies or provider enhancement grants are part of a service prescribed under paragraph 3, 5, 6, 7 or 8 of subsection 66.1 (1) and are provided in a municipality in the geographic area under the *Ontario Works Act, 1997* with respect to which the Ontario Works delivery agent provides assistance under that Act.

5. This Regulation comes into force on February 1, 1999.

7/99

ONTARIO REGULATION 39/99
made under the
PUBLIC SERVICE ACT

Made: November 27, 1998
Approved: January 27, 1999
Filed: January 28, 1999

Amending Reg. 977 of R.R.O. 1990
(General)

Note: Regulation 977 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Section 12 of Regulation 977 of the Revised Regulations of Ontario, 1990 is amended by adding the following subsection:

(3) This section does not apply with respect to persons who are assigned to a position in the Senior Management Group as defined in section 1 of Part I of Schedule 1.

2. Subsection 14 (3) of the Regulation is revoked and the following substituted:

(3) The following rules apply if the civil servant accepts a transfer under subsection (2) on or after the date on which O. Reg. 39/99 comes into force to a position with a lower maximum salary:

1. During the six-months after the civil servant receives the notice of his or her release, the civil servant is entitled to receive the salary payable to him or her in his or her permanent position on the day on which the notice is given.
2. Upon the expiry of that six-month period, the civil servant is entitled to receive the salary that is the lower of,
 - i. the civil servant's salary in the position to which he or she transferred, or
 - ii. the maximum salary payable to a person in the position to which the civil servant transferred.

(3.1) The following rules apply if the civil servant accepted a transfer under subsection (2) on or after April 17, 1996 and before the date on which O. Reg. 39/99 comes into force to a position with a lower maximum salary:

1. During the six months after O. Reg. 39/99 comes into force, the civil servant is entitled to receive the salary that would have been payable to him or her before that Regulation came into force.

phe 66.1 (1) et sont fournis dans une municipalité située dans la zone géographique prévue par la *Loi de 1997 sur le programme Ontario au travail* et à l'égard de laquelle l'agent de prestation des services du programme Ontario au travail fournit une aide aux termes de cette loi.

(3) Chaque agent de prestation des services du programme Ontario au travail verse à l'Ontario 20 pour cent de la totalité des frais à engager au titre des subventions salariales et des subventions d'aide aux fournisseurs, tels que ces frais sont énoncés dans une entente conclue en vertu de l'article 7.2 de la Loi avec une municipalité, un conseil prescrit ou une autre personne, si celles-ci font partie d'un service prescrit aux termes de la disposition 3, 5, 6, 7 ou 8 du paragraphe 66.1 (1) et sont fournies dans une municipalité située dans la zone géographique prévue par la *Loi de 1997 sur le programme Ontario au travail* et à l'égard de laquelle l'agent de prestation des services du programme Ontario au travail fournit une aide aux termes de cette loi.

5. Le présent règlement entre en vigueur le 1^{er} février 1999.

2. Upon the expiry of that six month period, the civil servant is entitled to receive the salary that is the lower of,

- i. the civil servant's salary in the position to which he or she transferred, or
- ii. the maximum salary payable to a person in the position to which the civil servant transferred.

(3.2) A civil servant who accepted a transfer under subsection (2) before April 17, 1996 to a position with a lower maximum salary is entitled to salary progression based on merit to the maximum salary of the higher class including any revision of the maximum salary of the higher class that took effect during the salary cycle in which the transfer took place.

CIVIL SERVICE COMMISSION:

MICHELE NOBLE
Chair

MORAG MCLEAN
Secretary

Dated on November 27, 1998.

7/99

ONTARIO REGULATION 40/99
made under the
FARM PRODUCTS GRADES AND SALES ACT

Made: January 27, 1999
Filed: January 28, 1999

Amending Reg. 378 of R.R.O. 1990
(Grades—Fruit and Vegetables)

Note: Regulation 378 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Sections 43 and 44 of Regulation 378 of the Revised Regulations of Ontario, 1990 are revoked.

7/99

ONTARIO REGULATION 41/99
made under the
FARM PRODUCTS GRADES AND SALES ACT

Made: January 27, 1999

Filed: January 28, 1999

Revoking Reg. 385 of R.R.O. 1990
(Licences)

**1. Regulation 385 of the Revised Regulations of Ontario, 1990 and
Ontario Regulation 335/94 are revoked.**

7/99

ONTARIO REGULATION 42/99
made under the
**FARM REGISTRATION AND FARM ORGANIZATIONS
FUNDING ACT, 1993**

Made: January 27, 1999

Filed: January 28, 1999

Amending O. Reg. 723/93
(General)

Note: Ontario Regulation 723/93 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. (1) Paragraphs 1, 2, 4 and 5 of section 2 of Ontario Regulation 723/93 are revoked and the following substituted:

1. The name, location, address, fax number, e-mail address and emergency/fire/911 numbers of a home farm operated by the farming business as designated by the person filing the farming business registration form for the farming business.
2. The name, address, telephone number, fax number and e-mail address of an individual who can be contacted concerning the contents of the registration form and the operation of the farming business.
-
4. If an individual carries on the farming business, his or her name, address, telephone number, fax number, e-mail address, approximate age with reference to the age ranges specified in the form and educational background.
5. If a partnership carries on the farming business, the name, address, telephone number, fax number, e-mail address, approximate age with reference to the age ranges specified in the form, proportionate interest and educational background of the partner who is the most active in the farming business and the names of the other partners.

(2) Subparagraphs i and ii of paragraph 6 of section 2 of the Regulation are revoked and the following substituted:

- i. in the case of a business corporation that does not offer its shares to the public, the name, address, telephone number, fax number, e-mail address, approximate age with reference

RÈGLEMENT DE L'ONTARIO 42/99
pris en application de la
**LOI DE 1993 SUR L'INSCRIPTION DES ENTREPRISES
AGRICOLES ET LE FINANCEMENT DES ORGANISMES
AGRICOLES**

pris le 27 janvier 1999

déposé le 28 janvier 1999

modifiant le Règl. de l'Ont. 723/93
(Dispositions générales)

Remarque : Le Règlement de l'Ontario 723/93 a été modifié antérieurement. Ces modifications sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1997.

1. (1) Les dispositions 1, 2, 4 et 5 de l'article 2 du Règlement de l'Ontario 723/93 sont abrogées et remplacées par ce qui suit :

1. Le nom, l'emplacement, l'adresse, le numéro de télécopieur, l'adresse électronique et les numéros de téléphone d'urgence, en cas d'incendie ou «911» d'une exploitation agricole familiale gérée par l'entreprise agricole et désignée par la personne qui dépose la formule d'inscription d'entreprise agricole pour le compte de l'entreprise agricole.
2. Le nom, l'adresse, le numéro de téléphone, le numéro de télécopieur et l'adresse électronique d'un particulier qu'il est possible de contacter au sujet des renseignements indiqués dans la formule d'inscription et de l'exploitation de l'entreprise agricole.
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4. Si un particulier exploite l'entreprise agricole, son nom, son adresse, son numéro de téléphone, son numéro de télécopieur, son adresse électronique, la tranche d'âge dans laquelle il se situe d'après la formule et son niveau de scolarité.
5. Si une société en nom collectif exploite l'entreprise agricole, le nom, l'adresse, le numéro de téléphone, le numéro de télécopieur, l'adresse électronique, la part respective et le niveau de scolarité de l'associé le plus actif dans l'entreprise agricole, ainsi que la tranche d'âge dans laquelle il se situe d'après la formule, et les noms des autres associés.

(2) Les sous-dispositions i et ii de la disposition 6 de l'article 2 du Règlement sont abrogées et remplacées par ce qui suit :

- i. dans le cas d'une société par actions qui n'offre pas ses actions au public, le nom, l'adresse, le numéro de téléphone, le numéro de télécopieur, l'adresse électronique et le niveau

to the age ranges specified in the form and educational background of the shareholder holding the largest number of shares and the names of the other shareholders, and

- ii. in the case of a business corporation that offers its shares to the public, a co-operative corporation incorporated under the *Co-operative Corporations Act* or a non-profit corporation incorporated under Part III of the *Corporations Act*, the name, address, telephone number, fax number, e-mail address, approximate age with reference to the age ranges specified in the form and educational background of the officer acting as the corporation's representative for the filing of the farming business registration form and the names of the other officers.

(3) Section 2 of the Regulation is amended by adding the following paragraph:

- 9.1 The three agricultural products, listed in descending order, that make the greatest contribution to gross farm income.

(4) Paragraph 12 of section 2 of the Regulation is revoked and the following substituted:

- 12. On request, for the purpose of verifying the farming business's eligibility for the Class 6-farmlands property tax rate under the *Assessment Act* and for registration under the Act, additional financial, inventory and business information and records sufficient to establish that the eligibility criteria are met, including the gross income from farming of the farming business for the year.

2. The Regulation is amended by adding the following section:

- 13. In addition to the information that the Minister must provide under subsection 21 (3) of the Act, the Minister may, under section 3 of the Act, for the purpose of promoting the efficient administration of the Act, provide to the appropriate farm organizations the fax numbers and e-mail addresses provided in the farming business registration forms of those who have provided payments under subsection 21 (1) of the Act.

7/99

ONTARIO REGULATION 43/99

made under the

FARM REGISTRATION AND FARM ORGANIZATIONS FUNDING ACT, 1993

Made: January 18, 1999

Filed: January 28, 1999

Amending O. Reg. 722/93
(Filing Dates)

Note: Ontario Regulation 722/93 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

- 1. (1) Subsection 1 (2) of Ontario Regulation 722/93 is amended by adding at the end "or August 31 in the year, whichever occurs first".

(2) Section 1 of the Regulation is amended by adding the following subsection:

- (2.1) A farming business registration form required for any year shall be filed before September 1 in that year.

de scolarité de l'actionnaire qui détient le plus grand nombre d'actions, ainsi que la tranche d'âge dans laquelle il se situe d'après la formule, et les noms des autres actionnaires,

- ii. dans le cas d'une société par actions qui offre ses actions au public, d'une société coopérative constituée sous le régime de la *Loi sur les sociétés coopératives* ou d'une personne morale sans but lucratif constituée sous le régime de la partie III de la *Loi sur les personnes morales*, le nom, l'adresse, le numéro de téléphone, le numéro de télécopieur, l'adresse électronique et le niveau de scolarité du dirigeant qui agit à titre de représentant de la personne morale pour le dépôt de la formule d'inscription d'entreprise agricole, ainsi que la tranche d'âge dans laquelle il se situe d'après la formule, et les noms des autres dirigeants.

(3) L'article 2 du Règlement est modifié par adjonction de la disposition suivante :

- 9.1 Les trois produits agricoles, indiqués en ordre décroissant, qui rapportent le plus pour ce qui est du revenu agricole brut.

(4) La disposition 12 de l'article 2 du Règlement est abrogée et remplacée par ce qui suit :

- 12. Sur demande, dans le but de vérifier l'admissibilité de l'entreprise agricole au taux d'imposition sur les biens-fonds agricoles, catégorie 6, aux termes de la *Loi sur l'évaluation foncière* et aux fins de l'inscription aux termes de la Loi, les renseignements et documents additionnels concernant les finances, l'inventaire et les affaires de l'entreprise agricole qui sont suffisants pour établir qu'elle satisfait aux critères d'admissibilité, y compris son revenu brut pour l'année.

2. Le Règlement est modifié par adjonction de l'article suivant :

- 13. En plus des renseignements qu'il doit fournir aux termes du paragraphe 21 (3) de la Loi, le ministre peut, en vertu de l'article 3 de la Loi, afin de promouvoir l'application efficace de la Loi, fournir aux organismes agricoles appropriés les numéros de télécopieur et les adresses électroniques indiqués dans les formules d'inscription d'entreprise agricole des entreprises agricoles qui ont effectué des paiements aux termes du paragraphe 21 (1) de la Loi.

RÈGLEMENT DE L'ONTARIO 43/99

pris en application de la

LOI DE 1993 SUR L'INSCRIPTION DES ENTREPRISES AGRICOLES ET LE FINANCEMENT DES ORGANISMES AGRICOLES

pris le 18 janvier 1999
déposé le 28 janvier 1999

modifiant le Règl. de l'Ont. 722/93
(Dates de dépôt)

Remarque : Le Règlement de l'Ontario 722/93 a été modifié antérieurement. Ces modifications sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1997.

- 1. (1) Le paragraphe 1 (2) du Règlement de l'Ontario 722/93 est modifié par adjonction de «ou le 31 août de l'année, si cette date lui est antérieure».

(2) L'article 1 du Règlement est modifié par adjonction du paragraphe suivant :

- (2.1) Une formule d'inscription d'entreprise agricole exigée pour une année donnée est déposée avant le 1^{er} septembre de cette année-là.

(3) Subsection 1 (3) of the Regulation is amended by striking out "Despite subsections (1) and (2)" at the beginning and substituting "Despite subsections (1), (2) and (2.1)".

(4) Section 1 of the Regulation is amended by adding the following subsection:

(4) Despite the rules governing filing dates set out in subsections (1), (2) and (2.1), the official responsible for the administration of the farm business registration program may permit the filing of the form after the relevant date if the failure to file the form on time was, in the official's opinion, due to the occurrence of an unexpected event beyond the control of the person filing or the refusal to accept the form for filing would cause undue hardship to the applicant.

NOBLE VILLENEUVE

Minister of Agriculture, Food and Rural Affairs

Dated on January 18, 1999.

7/99

(3) Le paragraphe 1 (3) du Règlement est modifié par substitution de «Malgré les paragraphes (1), (2) et (2.1)» à «Malgré les paragraphes (1) et (2)» au début du paragraphe.

(4) L'article 1 du Règlement est modifié par adjonction du paragraphe suivant :

(4) Malgré les règles régissant les dates de dépôt énoncées aux paragraphes (1), (2) et (2.1), le fonctionnaire chargé d'administrer le programme d'inscription des entreprises agricoles peut permettre le dépôt de la formule après la date pertinente s'il est d'avis que le défaut de déposer la formule à temps découle de la survenance d'un événement imprévu indépendant de la volonté de la personne qui fait le dépôt ou que le refus d'accepter le dépôt de la formule causerait un préjudice indû au requérant.

NOBLE VILLENEUVE

Ministre de l'Agriculture, de l'Alimentation et des Affaires rurales

Fait le 18 janvier 1999.

ONTARIO REGULATION 44/99
made under the
SOCIAL HOUSING FUNDING ACT, 1997

Made: January 27, 1999

Filed: January 29, 1999

Amending O. Reg. 488/97
(General)

Note: Ontario Regulation 488/97 has previously been amended by Ontario Regulations 101/98, 267/98, 281/98, 456/98 and 636/98.

1. Section 2 of Ontario Regulation 488/97 is revoked and the following substituted:

2. The following entities are prescribed as boards for the purposes of subsection 4 (4) of the Act:

1. District of Algoma Social Services Administration Board.
2. District of Cochrane Social Services Administration Board.
3. District of Nipissing Social Services Administration Board.
4. District of Parry Sound Social Services Administration Board.
5. District of Rainy River Social Services Administration Board.
6. District of Sault Ste. Marie Social Services Administration Board.
7. District of Sudbury Social Services Administration Board.
8. District of Timiskaming Social Services Administration Board.

2. (1) Subsection 6 (1) of the Regulation is revoked and the following substituted:

(1) Subject to subsections (1.1) to (5) and section 7.6, provincial social housing costs to be recovered from an entity are the costs incurred or to be incurred in a billing period with respect to housing within the geographic area over which the entity has jurisdiction.

(1.1) The provincial social housing costs to be recovered from each of the following entities are the costs incurred or to be incurred in a billing period with respect to housing within the geographic area for which the entity is the delivery agent under Ontario Regulation 136/98:

1. The Regional Municipality of Haldimand-Norfolk.
2. The Regional Municipality of Hamilton-Wentworth.
3. The Regional Municipality of Niagara.
4. The Regional Municipality of Ottawa-Carleton.
5. The Regional Municipality of Waterloo.
6. The District Municipality of Muskoka.
7. City of Brantford.
8. County of Bruce.
9. Municipality of Chatham-Kent.
10. County of Dufferin.
11. City of Kingston.
12. County of Grey.
13. County of Haliburton.
14. County of Hastings.
15. County of Huron.
16. County of Lambton.
17. County of Lanark.
18. United Counties of Leeds and Grenville.
19. County of Lennox and Addington.
20. County of Northumberland.
21. County of Oxford.
22. City of Stratford.

23. City of Peterborough.
24. United Counties of Prescott and Russell.
25. County of Renfrew.
26. County of Victoria.
27. County of Wellington.
28. District of Algoma Social Services Administration Board.
29. District of Sault Ste. Marie Social Services Administration Board.
30. District of Cochrane Social Services Administration Board.
31. District of Nipissing Social Services Administration Board.
32. District of Parry Sound Social Services Administration Board.
33. District of Rainy River Social Services Administration Board.
34. District of Sudbury Social Services Administration Board.
35. District of Timiskaming Social Services Administration Board.

(2) Subsection 6 (3) of the Regulation is amended by striking out "Tables 2, 3, 4 and 5" and substituting "Tables 2, 3 and 4".

(3) Subsection 6 (4) of the Regulation is revoked.

(4) Subsection 6 (5) of the Regulation is amended by striking out "Tables 9 to 23" and substituting "Tables 10, 11, 17, 21 and 22".

3. Tables 5, 6, 7, 8, 9, 12, 13, 14, 15, 16, 18, 19, 20 and 23 to the Regulation are revoked.

4. The Regulation, as it read immediately before February 1, 1999, continues to apply to the recovery of provincial social housing costs in respect of billing periods that end before February 1, 1999.

5. This Regulation comes into force on February 1, 1999.

7/99

ONTARIO REGULATION 45/99

made under the PLANNING ACT

Made: January 28, 1999

Filed: January 29, 1999

ZONING AREAS—TERRITORIAL DISTRICT OF TIMISKAMING, PART OF THE GEOGRAPHIC TOWNSHIP OF SHARPE

INTERPRETATION

1. In this Order,

"accessory", when used to describe a use, building or structure, means a use, building or structure that is normally incidental or subordinate to the principal use, building or structure on the same lot;

"dwelling unit" means one or more habitable rooms capable of being occupied as an independent and separate housekeeping establishment in which separate kitchen and sanitary facilities are provided for the exclusive use of the occupants;

"front lot line" means the lot line that divides a lot from a street, private right of way, Crown shoreline reserve or high-water mark of a river or lake, and

(a) in the case of a corner lot, the shorter line that abuts a street, private right of way, Crown shoreline reserve or high-water mark of a river or lake shall be the front lot line; and

(b) in the case of a lot that abuts both a street or private right of way and the high-water mark of a river, lake or Crown shoreline reserve, the lot line abutting the high-water mark of a river or lake or Crown shoreline reserve shall be the front lot line;

"front yard" means a yard extending across the full width of a lot between the front lot line and the nearest main wall of the main building or structure on the lot;

"ground floor area" means the area of the lowest storey of a building or structure above grade, measured between the exterior faces of the exterior walls of the floor level of that storey;

"lot" means a parcel of land shown as a lot on a registered plan of subdivision;

"rear lot line" means the lot line opposite the lot's front lot line;

"rear yard" means a yard extending across the full width of a lot between the rear lot line and the nearest main wall of the principal building or structure on the lot;

"seasonal dwelling" means a building containing only one dwelling unit capable of being occupied for recreation but not as a permanent residence or home;

"seasonal mobile home" means a structure designed to be mobile and containing only one dwelling unit capable of being occupied for recreation but not as a permanent residence;

"side lot line" means a lot line other than a front or rear lot line;

"side yard" means a yard between the nearest main wall of the principal building or structure on a lot and the side lot line extending from the front yard to the rear yard;

"street" means a public highway that is under the jurisdiction of the Province of Ontario or a local roads board, or a street within a registered plan of subdivision.

APPLICATION

2. This order applies to land in the geographic Township of Sharpe, in the Territorial District of Timiskaming, more particularly described as Lots 1 to 11, inclusive, on Registered Plan 54M-354 registered in the Land Registry Office for the Land Titles Division of Timiskaming (No. 54).

GENERAL

3. (1) Every use of land and every erection, location or use of buildings or structures shall be in accordance with this Order.

(2) Nothing in this Order prevents the use of any land, building or structure for any use prohibited by this Order if the land, building or structure is lawfully so used on the day this Order comes into force.

(3) Nothing in this Order prevents the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner if the dimensions of the original building or structure are not increased or its original use altered.

(4) Nothing in this Order prevents the strengthening or restoration to a safe condition of any building or structure.

SEASONAL RESIDENTIAL

4. (1) Every use of land and every erection, location or use of buildings or structures is prohibited on Lots 1, 3, 5, 7, 8, 9, 10 and 11 on Plan 54M-354, except one seasonal dwelling or seasonal mobile home for each lot, together with accessory uses, buildings and structures.

(2) Requirements for buildings and structures permitted by subsection (1) are as follows:

- | | |
|------------------------------|-------------------|
| 1. Minimum front yard | 7.5 metres |
| 2. Minimum rear yard | 7.5 metres |
| 3. Minimum side yard | 4.5 metres |
| 4. Maximum ground floor area | 610 square metres |

5. Every use of land and every erection, location or use of buildings or structures is prohibited on Lot 2 on Plan 54M-354, except buildings and structures accessory to a seasonal dwelling or seasonal mobile home on Lot 1 on Plan 54M-354.

6. Every use of land and every erection, location or use of buildings or structures is prohibited on Lot 4 on Plan 54M-354, except buildings and structures accessory to a seasonal dwelling or seasonal mobile home on Lot 3 on Plan 54M-354.

7. Every use of land and every erection, location or use of buildings or structures is prohibited on Lot 6 on Plan 54M-354, except buildings and structures accessory to a seasonal dwelling or seasonal mobile home on Lot 5 on Plan 54M-354.

ACCESSORY BUILDINGS AND STRUCTURES

8. (1) Accessory buildings and structures permitted by sections 4, 5, 6 and 7 shall not be used for human habitation.

(2) Despite section 4, docks, saunas, uninhabitable boathouses and pumphouses may be located within a front yard.

PAULA M. DILL
*Assistant Deputy Minister
Provincial-Municipal Relations Division
Ministry of Municipal Affairs and Housing*

Dated on January 28, 1999.

Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1999—02—20

ONTARIO REGULATION 46/99 made under the ASSESSMENT ACT

Made: February 2, 1999
Filed: February 3, 1999

Amending O. Reg. 282/98
(General)

Note: Ontario Regulation 282/98 has previously been amended by Ontario Regulations 390/98, 721/98 and 8/99.

1. Sections 25, 26, 27 and 28 of Ontario Regulation 282/98 are revoked and the following substituted:

25. (1) Land is eligible land if,

- (a) it is identified by the Minister of Natural Resources as provincially significant wetland on the basis of the wetland evaluation system set out in the Ministry of Natural Resources document titled "Ontario Wetland Evaluation System Southern Manual" (3rd edition), dated March, 1993, as revised in May, 1994 or in the Ministry of Natural Resources document titled "Ontario Wetland Evaluation System Northern Manual" (1st edition), dated March, 1993, as revised in May, 1994;
- (b) it is identified by the Minister of Natural Resources as a provincially significant area of natural and scientific interest using the criteria set out in the Ministry of Natural Resources document titled "A Framework for the Conservation of Ontario's Biological Heritage", dated May, 1980 or in the Ministry of Natural Resources document titled "A Framework for the Conservation of Ontario's Earth Science Features", dated October, 1981;
- (c) it is identified by the Minister of Natural Resources as a habitat of endangered species using the criteria set out in the Ministry of Natural Resources document titled "Guidelines for Mapping Endangered Species Habitats under the Conservation Land Tax Incentive Program", dated June, 1998; or
- (d) it is designated as an escarpment natural area in the Niagara Escarpment Plan under the *Niagara Escarpment Planning and Development Act*.

(2) In addition to land that is eligible land under subsection (1), land is eligible land for the 1999 taxation year if it was exempt from taxation as conservation land under paragraph 25 of subsection 3 (1) of the Act for the 1998 taxation year and it is identified on the list compiled by the Ministry of Natural Resources titled "Other Conservation Lands Eligible for the 1999 Conservation Land Tax Incentive Program" as that list read on September 30, 1998.

26. Eligible land is conservation land for a taxation year if the following requirements are met:

- 1. The owner must submit a completed application to the Minister of Municipal Affairs and Housing for designation of the eligible land as conservation land that is exempt from taxation and the application must be submitted,

- i. for the 1999 taxation year, on or before September 30, 1998, or

- ii. for a taxation year after the 1999 taxation year, on or before August 31 of the previous year.

2. In the application, the owner must agree,

- i. not to undertake activities during the taxation year that are inconsistent with the land's status as conservation land,
- ii. to allow a person selected by the Minister of Natural Resources to inspect the land, and
- iii. to co-operate with the person described in subparagraph ii in the course of the inspection.

3. The owner must not undertake activities during the taxation year that are inconsistent with the land's status as conservation land and must not breach anything the owner has agreed to in the application.

APPLICATION OF PART

27. This Part applies with respect to the 1999 and subsequent taxation years.

2. Section 40 of the Regulation is revoked and the following substituted:

SPECIAL CONSIDERATION IF DEADLINE MISSED

40. (1) The Administrator, on a request described in subsection 38 (1), shall agree to a settlement determining that the land is conservation land if,

- (a) the requirements for the land to be conservation land have been complied with except that the deadline for submitting an application for designation of the land as conservation land was missed;
- (b) the land would have been conservation land if the deadline had not been missed; and
- (c) in the Administrator's opinion, there are mitigating circumstances explaining why the deadline was missed.

(2) The Commissioner, on a complaint described in section 39, shall make a determination that the land is conservation land if,

- (a) clauses (1) (a) and (b) are satisfied; and
- (b) in the Commissioner's opinion, there are mitigating circumstances explaining why the deadline was missed.

3. This Regulation does not affect the application of Ontario Regulation 282/98, as it read before being amended by this Regulation, with respect to the 1998 taxation year.

4. Section 1 shall be deemed to have come into force on December 1, 1998.

ERNIE EVES
Minister of Finance

Dated on February 2, 1999.

8/99

ONTARIO REGULATION 47/99
made under the
MUNICIPAL ACT

Made: February 2, 1999
Filed: February 3, 1999

**TAX MATTERS—REBATES FOR CHARITIES
ON PROPERTY TO WHICH DIVISION B
OF PART XXII.2 OF THE ACT APPLIES**

APPLICATION OF REGULATION

1. This Regulation applies with respect to a charity's rebate required under paragraph 1 of subsection 442.1 (3) of the Act if Division B of Part XXII.2 of the Act applies to the property with respect to which the rebate relates."

AMOUNT OF REBATE

2. (1) Subject to subsections (2) and (3), the amount of the rebate shall be determined in accordance with the following:

$$\text{Rebate} = 0.4 \times \frac{\text{Increase from 1997 - Level taxes}}{\text{Charity's proportion of property}}$$

where,

"Increase from 1997-level taxes" means the taxes for the property for the taxation year, as determined under subsection 447.47 (1) of the Act, minus the 1997-level taxes for the property, as determined under section 447.49 of the Act;

"Charity's proportion of property" means the rentable area of the part of the property occupied by the charity divided by the total rentable area of the property.

(2) If the variable called "Increase from 1997-level taxes" in the formula in subsection (1) is zero or negative, the amount of the rebate shall be zero.

(3) If the rebate would exceed the taxes the charity pays on the property, the amount of the rebate shall be the amount of those taxes.

(4) In this section,

"rentable area" means the rentable area of the part of the property with respect to which Division B of Part XXII.2 of the Act applies.

WHEN REBATE DUE

3. A rebate relating to a taxation year shall be paid,

- (a) for the 1998 taxation year, on or before April 30, 1999;
- (b) for the 1999 taxation year, on or before June 30, 1999;
- (c) for the 2000 taxation year, on or before June 30, 2000.

REPAYMENT OF PREVIOUS 1998 REBATES

4. The following apply with respect to a rebate paid in whole or in part before this Regulation comes into force:

- 1. The charity shall owe a debt to the municipality equal to the amount of the rebate that was paid to the charity.
- 2. The debt is due on April 30, 1999.

- 3. The municipality may set off the debt against a rebate the municipality is required to give the charity under paragraph 1 of subsection 442.1 (3) of the Act.

ERNIE EVES
Minister of Finance

Dated on February 2, 1999.

8/99

ONTARIO REGULATION 48/99
made under the
**NIAGARA ESCARPMENT PLANNING
AND DEVELOPMENT ACT**

Made: February 2, 1999
Filed: February 3, 1999

Amending Reg. 828 of R.R.O. 1990
(Development Within the Development Control Area)

Note: Regulation 828 has been previously amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. (1) The definition of "accessory" in section 1 of Regulation 828 of the Revised Regulations of Ontario, 1990 is revoked.

(2) Section 1 of the Regulation is amended by adding the following definitions:

"good forestry practices" means the proper implementation of harvest, renewal and maintenance activities known to be appropriate for the forest and environmental conditions under which they are being applied and that minimize detriments to forest values including significant ecosystems, important fish and wildlife habitat, soil and water quality and quantity, forest productivity and health and the aesthetics and recreational opportunities of the landscape;

"group home" means a residence that is licensed or funded by a public agency for the accommodation of three to 10 persons, exclusive of staff, living under supervision in a single housekeeping unit and who, by reason of their emotional, mental, social or physical condition or legal status, need a group living arrangement for their well being;

(3) The definition of "household" in section 1 of the Regulation is revoked and the following substituted:

"household" means one or more persons living as a single housekeeping unit in one dwelling or in a group home;

(4) Section 1 of the Regulation is amended by adding the following definitions:

"seasonal" means operated for six months or less in a calendar year;

"tree" means a woody plant that,

- (a) has reached a height of 4.5 metres or belongs to a species that has an average height of at least 4.5 metres at physiological maturity, and
- (b) has a stem diameter of more than 10.2 centimetres when measured from the outside bark at a point 1.3 metres above the ground;

(5) Section 1 of the Regulation is amended by adding the following subsections:

(2) In this Regulation,

- (a) a lot that abuts on a road or a body of water is considered to have a front lot line on each lot line that abuts on the road or the water; and
- (b) a corner lot is considered to have two front lot lines.

(3) For the purposes of this Regulation, something is accessory to another thing if it is normally incidental or subordinate to the other thing, but a dwelling or other structure that is used for human habitation shall be deemed not to be accessory to anything.

2. Sections 3 and 4 of the Regulation are revoked and the following substituted:

3. Zoning by-laws and the Minister's orders made under section 47 of the *Planning Act* have no effect in the area of development control designated under Regulation 826 of the Revised Regulations of Ontario, 1990.

4. An application for a development permit shall be on a form provided by the Commission.

3. (1) Section 5 of the Regulation, exclusive of the paragraphs, is revoked and the following substituted:

5. The following classes of development, if listed as permitted uses under the land use policies established in the Niagara Escarpment Plan and not in conflict with a development permit issued under the Act, are exempt from the requirement of obtaining a development permit:

.

(2) Paragraphs 1, 2, 3 and 4 of section 5 of the Regulation are revoked and the following substituted:

1. The maintenance or repair of land, buildings or structures damaged, without any human intervention, by fire, lightning, unusually severe weather, storms, floods or other natural causes.
2. The reconstruction of land, buildings or structures damaged or destroyed, without any human intervention, by fire, lightning, unusually severe weather, storms, floods or other natural causes, if the reconstruction,
 - i. is on the same site where the damage or destruction occurred,
 - ii. does not change the use on the site,
 - iii. in the case of a building or structure, results in a building or structure that occupies an area that is not more than that occupied by the original or is of a height that is no greater than that of the original, and
 - iv. is started within two years after the damage or destruction occurred.
3. The maintenance, repair, reconstruction or demolition that is required by an order or other instrument issued under an Act by a public authority for the purpose of ensuring public safety or health.
4. The maintenance, repair, reconstruction or improvement of the interior of a building or structure that does not change the use of the building or structure.
- 4.1 The maintenance or repair of the exterior of a building or structure that does not change the use of the building or structure.

4.2 The maintenance, repair, construction or improvement of a building or structure for fire safety and fire exits and barrier free access.

4.3 The maintenance or renewal of highways or municipal roads and the repair and cleaning of drainage ditches and swales along highways and municipal roads.

(3) Paragraphs 7, 8, 9, 10 and 11 of section 5 of the Regulation are revoked and the following substituted:

7. Subject to paragraphs 8, 9, 10, 11, 13, 13.1, 13.2, 20 and 31, general agricultural development.
8. The following classes of development for the purposes of general agricultural development:
 - i. The cultivation of soil, including the picking and removal of field rocks and stones, but not including the stripping, removal or stockpiling of topsoil, earth, rock, sand, gravel or other aggregate material or the addition of fill.
 - ii. The digging or drilling of a well.
 - iii. The installation of a farm tile drain.
 - iv. The installation or operation of a water irrigation system.
 - v. The repair, maintenance and cleaning of farm drains.
9. The construction of a building, structure or facility accessory to general agricultural development, other than a dwelling or pond if, on completion of the development, all the following conditions are met:
 - i. The area of the lot on which the construction occurred is at least 20 hectares.
 - ii. The side yard depth of the lot on which the construction occurred is at least 15 metres.
 - iii. The rear yard depth of the lot on which the construction occurred is at least 15 metres.
 - iv. The building, structure or facility is at least 90 metres from the centre line of an abutting open public road.
10. A dug farm pond accessory to general agricultural development if, on completion of the development, all the following conditions are met:
 - i. The pond is not located within the Escarpment Natural Area of the Niagara Escarpment Plan.
 - ii. The pond does not need construction of a dam or berm and is not located on a stream or watercourse.
 - iii. The surface area of the pond is located at least 30 metres from the nearest lot line and from any septic system or well.
 - iv. The surface area of the pond is not greater than 150 square metres.
 - v. The area of the lot is at least 20 hectares.
 - vi. The dredged material is used for landscaping immediately around the pond site and rehabilitated with vegetation.
11. The installation of a portable, seasonal farm produce stand or market structure accessory to general agricultural development, other than a food service vehicle, if, on completion of the installation, all the following conditions are met:
 - i. The total surface area covered by the stand or structure does not exceed 28 square metres.

- ii. The setback of the stand or structure from the front lot line is at least 7.5 metres.
 - iii. The items for sale at the stand or structure are limited to produce grown by or products made from produce grown by the owner or operator of the lot on which the stand or structure is situated.
 - iv. The stand or structure is removed during the portion of the season when it is not in operation.
- 11.1 The extension of a single dwelling if, on completion of the extension, all the following conditions are met:
- i. The side yard depth of the lot on which the extension occurred is at least 4.5 metres.
 - ii. The rear yard depth of the lot on which the extension occurred is at least 7.5 metres.
 - iii. The front yard depth of the lot on which the extension occurred is at least 15 metres.
 - iv. The height of the extension does not exceed the height of the original dwelling.
 - v. The total surface area occupied by the extension does not exceed 93 square metres.
- 11.2 A change to the height or pitch of a roof of a single dwelling for the purpose of maintenance, repair or renewal, if all the following conditions are met:
- i. The total floor area of the dwelling is not increased.
 - ii. The height of the dwelling is not increased by more than 2.5 metres.
 - iii. The height of the dwelling after the change does not exceed 7.5 metres.
- 11.3 The construction or extension of buildings or structures accessory to single dwellings, if all the following conditions are met on the completion of the construction or extension:
- i. No accessory building or structure or any part thereof lies between the front lot line and the wall of the dwelling nearest to it, unless the accessory building or structure has a front yard setback of at least 30 metres.
 - ii. No accessory building or structure or any part thereof is less than one metre from any side or rear lot line.
 - iii. The total area covered by all accessory buildings and structures does not exceed 5 per cent of the lot area, or 56 square metres, whichever is the lesser.
 - iv. No accessory building or structure exceeds a height of 4.5 metres.

(4) Paragraph 13 of section 5 of the Regulation is revoked and the following substituted:

- 13. Subject to any municipal by-law that regulates the cutting of trees, the cutting or other destruction, removal or pruning of trees on a lot that is not greater than 0.8 hectares in area.
- 13.1 Subject to any municipal by-law that regulates the cutting of trees, the cutting or other destruction, removal or pruning, in accordance with good forestry practices, of not more than 10 per cent of the trees within a 10-year period on a lot that is greater than 0.8 hectares in area, if, in the case of an Area of Natural Scientific Interest (Life Science) that is in public ownership, the trees are cut, destroyed, removed or pruned only where it is nec-

essary to maintain the values for which the area was acquired, for emergency access, where existing agreements are in effect or to implement uses permitted in approved Park or Open Space Master or Management Plans that are not in conflict with the Niagara Escarpment Plan.

- 13.2 The cutting or other destruction, removal or pruning of more than 10 per cent of the trees within a 10-year period on a lot that is greater than 0.8 hectares in area, if,

i. the trees are cut, destroyed, removed or pruned in accordance with the *Crown Forest Sustainability Act, 1994*, the *Forestry Act*, the *Woodlands Improvement Act*, the *Conservation Authorities Act* or a by-law made under the *Municipal Act* or the *Trees Act*, and, in the case of an Area of Natural Scientific Interest (Life Science) that is in public ownership, the trees are cut, destroyed, removed or pruned only where it is necessary to maintain the values for which the area was acquired, for emergency access, where existing agreements are in effect or to implement uses permitted in approved Park or Open Space Master or Management Plans that are not in conflict with the Niagara Escarpment Plan,

ii. the trees are cut, destroyed, removed or pruned in accordance with a forest management plan, including tree cutting prescriptions, recommended by the Ministry of Natural Resources, a conservation authority or a qualified forestry professional that,

A. uses tree cutting methods designed to minimize adverse effects on the natural environment, including surface drainage and groundwater,

B. minimizes disruption of habitats for plants and animal species occurring in the area,

C. retains the diversity of native tree species and other plant and animal species,

D. aims over the long term to retain and enhance the quality, appearance and productivity of the forest site,

E. minimizes cutting within highly sensitive areas such as steep slopes, unstable soils, stream valleys, wetlands and areas of significant groundwater recharge and discharge,

F. includes natural regeneration or rehabilitation through reforestation where necessary, and

G. in the case of an Area of Natural Scientific Interest (Life Science) that is in public ownership, permits tree cutting only where it is necessary to maintain the values for which the area was acquired, for emergency access, where existing agreements are in effect or to implement uses permitted in approved Park or Open Space Master or Management Plans that are not in conflict with the Niagara Escarpment Plan,

iii. the trees are cut, destroyed, removed or pruned as part of the normal operation of a Christmas tree farm, nursery or orchard,

iv. the trees are cut, destroyed, removed or pruned because the trees constitute a safety hazard,

v. the trees are cut, destroyed, removed or pruned because the trees are dead or diseased, or have been damaged by natural causes and not by human intervention,

vi. the trees are cut, destroyed, removed or pruned for personal use by the owner of the lot on which the trees to be cut, destroyed, removed or pruned are situated, if,

A. the owner or the owner's agent cuts the trees, and

- B. no sale occurs of the trees or any wood products created from the cutting, destruction, removal or pruning of the trees,
- vii. the trees are cut, destroyed, removed or pruned for the maintenance of oil and gas pipelines, distribution lines and corridors,
- viii. the trees are cut, destroyed, removed or pruned for the maintenance of electric power distribution lines and corridors,
- ix. the trees are cut, destroyed, removed or pruned for the connection, repair and maintenance of public utilities to approved buildings and structures, or
- x. the trees are cut, destroyed, removed or pruned for the maintenance of open public roads and immediately adjacent road allowances.

(5) Paragraphs 15, 16 and 17 of section 5 of the Regulation are revoked and the following substituted:

15. The digging or drilling of a well or the installation of a cistern for the purpose of supplying potable water for a single dwelling.
16. The construction of an outdoor swimming pool, spa or hot tub accessory to a single dwelling, including an associated deck, pump, filter or heater, if all the following conditions are met on the completion of the development:
 - i. The water area of the swimming pool, spa or hot tub is at least 2.7 metres from the nearest lot line.
 - ii. Any associated pump, filter or heater is at least one metre from the nearest lot line.
 - iii. The maximum water area is 93 square metres in the case of a swimming pool and 13 square metres in the case of a spa or hot tub.
 - iv. Municipal swimming pool, spa or hot tub fencing and safety requirements are met.
17. The maintenance of lands, buildings and structures under the jurisdiction of a conservation authority, the establishment of trails and the erection of signs for the purposes of property identification or interpretative or recreational information on lands owned by a conservation authority.

(6) Section 5 of the Regulation is amended by adding the following paragraphs:

20. The demolition of all or part of a dwelling, a building or structure accessory to a dwelling or a building or structure accessory to general agricultural development, if all the following conditions are met:
 - i. The dwelling, building or structure or the part to be demolished has a total floor space not exceeding 93 square metres.
 - ii. The dwelling, building or structure or the part to be demolished,
 - A. is not designated under the *Ontario Heritage Act* as being of historic or architectural value or interest,
 - B. is not intended to be designated under the *Ontario Heritage Act* as being of historic or architectural value or interest, according to a notice of intention to designate published under that Act, and
 - C. is not otherwise recognized under any Act or any municipal by-law as being historically or architecturally significant.

- iii. The site on which the demolition occurs is levelled and covered with topsoil of sufficient depth to support the growth of vegetation.
- iv. Any waste material resulting from the demolition is reused on the site or removed and disposed of at a waste disposal site approved to receive that kind of waste under the *Environmental Protection Act* or the *Environmental Assessment Act*.

21. The construction of a patio, porch, deck or verandah as an extension to a single dwelling if, on the completion of the construction, all the following conditions are met:
 - i. The total surface area covered by the patio, deck, porch or verandah does not exceed 56 square metres.
 - ii. The side yard depth of the lot on which the construction occurred is at least one metre.
 - iii. The rear yard depth of the lot on which the construction occurred is at least 7.5 metres.
 - iv. The front yard depth of the lot on which the construction occurred is at least 15 metres.
22. The repair or replacement of an existing underground fuel storage tank.
23. The construction or installation for a single dwelling of an air conditioner, heat pump, chimney, flag pole or television or radio receiving antenna that is located at least one metre from the nearest lot line. However, the installation of a satellite dish is not exempted under this paragraph.
24. The excavation of land, including the boring of holes, for one of the following temporary purposes:
 - i. Testing for aggregate in the Escarpment Rural Area of the Niagara Escarpment Plan.
 - ii. Soil testing.
 - iii. Test drilling for the supply of water.
 - iv. Archaeological exploration, survey or field work carried out in accordance with the *Ontario Heritage Act* or a federal statute.
25. The construction or installation for a single dwelling of a satellite dish that is not more than one metre in diameter and that is located at least one metre from the nearest lot line.
26. The construction or installation of a satellite dish more than one metre in diameter for a single dwelling if, on the completion of the construction or installation, all the following conditions are met:
 - i. The area of the lot on which the single dwelling is situated is at least 0.4 hectares.
 - ii. Only one satellite dish is located on the lot.
 - iii. The satellite dish is not located in the front yard.
 - iv. The height of the satellite dish above the ground, including the pole, does not exceed 4.5 metres.
 - v. The side yard depth measured from the closest point of the satellite dish to the side lot line is at least 4.5 metres.
 - vi. The rear yard depth measured from the closest point of the satellite dish to the rear lot line is at least 4.5 metres.
27. The construction or installation of a portable storage compound, works yard or trailer used in or incidental to the construction of

federal, provincial or municipal public works if the compound, yard or trailer does not house an asphalt plant or facility and is not used as a dwelling. The compound, yard or trailer must be removed within one year after its construction or installation or when the public works is completed, whichever is earlier.

28. The construction or installation of a portable tool shed, scaffold, trailer or other building or structure used in or incidental to approved development if the shed, scaffold, trailer or other building or structure is not used as a dwelling and is located on the same lot as the approved development. The shed, scaffold, trailer, building or structure must be removed within one year after its construction or installation or when the development is completed, whichever is earlier.
29. Small scale recycling depots for paper, glass, plastic, wood, metal or cardboard established by a municipality to serve the local community if the area of the depot does not exceed 74 square metres.
30. The maintenance of land, buildings and structures for the Bruce Trail by the Bruce Trail Association and the establishment of the Bruce Trail by the Bruce Trail Association on land owned or managed by agreement with the Bruce Trail Association.
31. The repair or maintenance of an existing dug pond, if all the following conditions are met:
 - i. The pond is not located within the Escarpment Natural Area of the Niagara Escarpment Plan.
 - ii. The original surface area and depth is not increased.
 - iii. The pond does not require the construction or reconstruction of a dam or berm and is not located on a stream or water-course.
 - iv. The dredged material is used for landscaping immediately around the pond site and rehabilitated with vegetation.
32. The construction of an outdoor tennis court and associated fencing accessory to a single dwelling, if all the following conditions are met on the completion of the development:
 - i. The surface area of the tennis court is at least 10 metres from the nearest lot line.

ii. The maximum surface area of the tennis court is 650 square metres.

iii. Municipal fencing and lighting requirements are met.

33. The construction or removal of school classroom portables accessory to an existing educational facility on property owned by a school board, college or university.
34. The erection or removal of a temporary special event tent, if all the following conditions are met:
 - i. The tent is situated on a lot for not more than 30 days.
 - ii. The tent does not require servicing facilities or the construction of a permanent foundation.
 - iii. The tent does not result in a change in use of the land upon which it is situated.
35. The installation, construction or repair of the following signs and structures:
 - i. Traffic, caution, directional and emergency street number signs erected by or on behalf of any government agency.
 - ii. Election signs.
 - iii. No trespassing or warning signs.
 - iv. Temporary public information signs erected by or on behalf of any government agency.
 - v. Temporary real estate signs that do not exceed one square metre in area.
 - vi. Mail boxes.

4. Schedule 1 to the Regulation is revoked.

5. Form 1 of the Regulation is revoked.

JOHN C. SNOBELEN
Minister of Natural Resources

Dated on February 2, 1999.

8/99

ONTARIO REGULATION 49/99 made under the MUNICIPAL ACT

Made: February 4, 1999
Filed: February 4, 1999

Amending O. Reg. 27/96
(Licensing Powers)

Note: Since the end of 1997, Ontario Regulation 27/96 has been amended by Ontario Regulation 700/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Ontario Regulation 27/96 is amended by adding the following section:

7. A municipality, including a regional municipality, does not have the power under Part XVII.1 of the Act to license, regulate or govern any of the following:

RÈGLEMENT DE L'ONTARIO 49/99 pris en application de la LOI SUR LES MUNICIPALITÉS

pris le 4 février 1999
déposé le 4 février 1999

modifiant le Règl. de l'Ont. 27/96
(Pouvoirs en matière de délivrance de permis)

Remarque : Depuis la fin de 1997, le Règlement de l'Ontario 27/96 a été modifié par le Règlement de l'Ontario 700/98. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1997.

1. Le Règlement de l'Ontario 27/96 est modifié par adjonction de l'article suivant :

7. La partie XVII.1 de la Loi ne confère pas à une municipalité, y compris une municipalité régionale, le pouvoir d'assujettir à l'obtention de permis, de réglementer ou de régir ce qui suit :

1. The business of trading in real estate (as "real estate" and "trade" are defined in section 1 of the *Real Estate and Business Brokers Act*).
2. A person registered under the *Real Estate and Business Brokers Act* who is carrying on business as a broker (as "broker" is defined in section 1 of that Act).
3. A person registered under the *Real Estate and Business Brokers Act* who is carrying on business as a salesperson (as "salesperson" is defined in section 1 of that Act).

AL LEACH

Minister of Municipal Affairs and Housing

Dated on February 4, 1999.

8/99

ONTARIO REGULATION 50/99

made under the

MUNICIPAL ACT

Made: February 4, 1999

Filed: February 5, 1999

TAX MATTERS—NOTICES RELATING

TO RE-BILLING FOR 1998

APPLICATION OF REGULATION

1. This Regulation applies with respect to notices to which paragraph 5 of subsection 368.0.2 (3) of the Act applies and governs the explanations required under subparagraph iv of that paragraph and prescribes information for the purposes of subparagraph v of that paragraph.

INFORMATION RELATING TO THE PROPERTY

2. A notice shall set out the following information for the property with respect to which the notice relates:

1. The assessment roll number.
2. The name of the owner.
3. The legal description.

IF DIVISION B OF PART XXII.2 OF THE ACT APPLIES

3. (1) If Division B of Part XXII.2 of the Act applies with respect to the property to which a notice relates, the notice shall include the text set out in Schedule 1.

(2) The following lines, in the box under the heading "1998 Taxes Previously Billed" set out in Schedule 1, shall not appear if they are not applicable to the property:

Municipal Rebate Adjustment

= _____

Phase-In Adjustment

= _____

(3) A French version of the notice shall include the text set out in Schedule 2.

(4) Subsection (2) also applies with respect to the French versions of the lines set out in subsection (2).

1. L'activité commerciale qui consiste à effectuer des opérations portant sur des biens immeubles, au sens que donne à «bien immeuble» et à «effectuer des opérations» l'article 1 de la *Loi sur le courtage commercial et immobilier*.
2. Une personne inscrite aux termes de la *Loi sur le courtage commercial et immobilier* qui exerce une activité commerciale en qualité de courtier, au sens que donne à «courtier» l'article 1 de cette loi.
3. Une personne inscrite aux termes de la *Loi sur le courtage commercial et immobilier* qui exerce une activité commerciale en qualité d'agent immobilier, au sens que donne à «agent immobilier» l'article 1 de cette loi.

AL LEACH

Ministre des Affaires municipales et du Logement

Fait le 4 février 1999.

IF SECTION 447.58 OF THE ACT APPLIES

4. (1) If section 447.58 of the Act applies with respect to the property to which a notice relates, the notice shall include the text set out in Schedule 3.

(2) The following line, in the box under the heading "1998 Taxes Previously Billed" set out in Schedule 3, shall not appear if it is not applicable to the property:

Phase-In Adjustment

= _____

(3) A French version of the notice shall include the text set out in Schedule 4.

(4) Subsection (2) also applies with respect to the French version of the line set out in subsection (2).

NUMBERS IN BLANKS

5. The appropriate numbers shall be included in the blanks in the text required under sections 3 and 4.

Schedule 1

TEXT FOR NOTICE RELATING TO PROPERTY

IF DIVISION B OF PART XXII.2 OF THE ACT APPLIES

(ENGLISH WORDING)

Explanation of 1998 Property Taxes

RECALCULATED 1998 PROPERTY TAXES

The *Fairness for Property Taxpayers Act, 1998* protects businesses from large tax reform-related property tax increases. This new legislation prevents commercial, industrial and multi-residential properties from facing reform-related tax increases of more than 10 per cent in 1998 and a further 5 per cent in each of 1999 and 2000. Businesses who received tax decreases due to reform will see a portion of those decreases delayed. Any municipal tax changes resulting from decisions of local councils and the business education tax cut are applied on top of the amount of the taxes paid in 1997, as adjusted by the cap.

This tax notice explains how this new legislation affects your 1998 property taxes. If you have questions, please contact your municipal tax office.

**1998 Taxes
Previously Billed****Recalculated 1998
Property Taxes**

1998 Taxes Previously Billed	=	_____	1997 Base Taxes*	=	_____
Municipal Rebate Adjustment	=	_____	Capping Adjustment	=	_____
Phase-in Adjustment	=	_____	Education Tax Reduction	=	_____
Amount of Taxes Levied for 1998	=	_____	Municipal Tax Change	=	_____
			1998 Recalculated Property Taxes	=	_____

1998 Tax Adjustment = Recalculated 1998 Property Taxes
- Amount of Taxes Levied for 1998
= _____ - _____
= _____

* 1997 Base Taxes include all business taxes paid by the occupants of the property but does not include Business Improvement Area and Local Improvement charges.

Schedule 2

**TEXT FOR NOTICE RELATING TO PROPERTY
IF DIVISION B OF PART XXII.2 OF THE ACT APPLIES
(FRENCH WORDING)**

Explication des impôts fonciers de 1998

IMPÔTS FONCIERS DE 1998 CALCULÉS DE NOUVEAU

La Loi de 1998 sur le traitement équitable des contribuables des impôts fonciers protège les entreprises contre des augmentations importantes des impôts fonciers liées à la réforme en la matière. Grâce à cette nouvelle loi, les biens commerciaux, les biens industriels et les immeubles à logements multiples ne peuvent faire l'objet d'une augmentation liée à la réforme de plus de 10 pour cent en 1998, puis de plus de 5 pour cent tant en 1999 qu'en 2000. Une partie des réductions d'impôt dont les entreprises bénéficient par suite de la réforme est reportée. Toute modification des impôts municipaux qui résulte de décisions des conseils municipaux ainsi que la réduction des impôts scolaires à l'intention des entreprises sont appliquées aux impôts payés en 1997, redressés en fonction du plafonnement prévu à leur égard.

Le présent avis d'imposition explique l'effet qu'a la nouvelle loi sur vos impôts fonciers de 1998. Si vous avez des questions, veuillez communiquer avec le service des impôts de votre municipalité.

**Impôts de 1998
déjà facturés****Impôts fonciers de 1998
calculés de nouveau**

Impôts de 1998 déjà facturés	=	_____	Impôts de base de 1997*	=	_____
Redressement découlant des remises consenties par la municipalité	=	_____	Redressement découlant du plafonnement	=	_____
Redressement découlant de l'inclusion progressive	=	_____	Réduction des impôts scolaires	=	_____
Impôts prélevés pour 1998	=	_____	Modification des impôts municipaux	=	_____
			Impôts fonciers de 1998 calculés de nouveau	=	_____

**Redressement des
impôts de 1998**

= Impôts fonciers de 1998 calculés
de nouveau - Impôts prélevés
pour 1998
= _____ - _____
= _____

* Les impôts de base de 1997 comprennent tous les impôts sur les entreprises payés par les occupants du bien, mais non les redevances d'aménagement commercial ni les contributions pour les aménagements locaux.

Schedule 3

**TEXT FOR NOTICE RELATING TO PROPERTY IF SECTION
447.58 OF THE ACT APPLIES (ENGLISH WORDING)**

Explanation of 1998 Property Taxes

RECALCULATED 1998 PROPERTY TAXES

The *Fairness for Property Taxpayers Act, 1998* protects businesses from large tax reform-related property tax increases. This new legislation prevents commercial, industrial and multi-residential properties from facing reform-related tax increases of more than 10 per cent in 1998 and a further 5 per cent in each of 1999 and 2000. Any municipal tax changes resulting from decisions of local councils and the business education tax cut are applied on top of the amount of the taxes paid in 1997, as adjusted by the threshold.

This tax notice explains how this new legislation affects your 1998 property taxes. If you have questions, please contact your municipal tax office.

**1998 Taxes
Previously Billed****1998 Maximum
Property Taxes**

1998 Taxes Previously Billed	=	_____	1997 Base Taxes*	=	_____
			Threshold Adjustment	=	_____
			Education Tax Reduction	=	_____
			Municipal Tax Change	=	_____
			1998 Maximum Taxes	=	_____

**Final Recalculated 1998 Property Taxes cannot exceed the 1998
Maximum Taxes**

1998 Tax Adjustment = Final Recalculated 1998
Property Taxes - 1998
Taxes Previously Billed
= _____ - _____
= _____

* 1997 Base Taxes include all business taxes paid by the occupants of the property but does not include Business Improvement Area and Local Improvement charges.

Schedule 4

TEXT FOR NOTICE RELATING TO PROPERTY IF SECTION 447.58 OF THE ACT APPLIES (FRENCH WORDING)

Explication des impôts fonciers de 1998

IMPÔTS FONCIERS DE 1998 CALCULÉS DE NOUVEAU

La Loi de 1998 sur le traitement équitable des contribuables des impôts fonciers protège les entreprises contre des augmentations importantes des impôts fonciers liées à la réforme en la matière. Grâce à cette nouvelle loi, les biens commerciaux, les biens industriels et les immeubles à logements multiples ne peuvent faire l'objet d'une augmentation liée à la réforme de plus de 10 pour cent en 1998, puis de plus de 5 pour cent tant en 1999 qu'en 2000. Toute modification des impôts municipaux qui résulte de décisions des conseils municipaux ainsi que la réduction des impôts scolaires à l'intention des entreprises sont appliquées aux impôts payés en 1997, redressés en fonction du seuil prévu à leur égard.

Le présent avis d'imposition explique l'effet qu'a la nouvelle loi sur vos impôts fonciers de 1998. Si vous avez des questions, veuillez communiquer avec le service des impôts de votre municipalité.

Impôts de 1998
déjà facturésImpôts fonciers de 1998
maximaux

Impôts de 1998 déjà facturés	=	_____
---------------------------------	---	-------

Impôts de base de 1997*	=	_____
----------------------------	---	-------

Impôts fonciers de 1998
calculés de nouveau

Redressement découlant du seuil	=	_____
------------------------------------	---	-------

Impôts fonciers de 1998 calculés de nouveau bruts	=	_____
---	---	-------

Réduction des impôts scolaires	=	_____
-----------------------------------	---	-------

Redressement découlant de l'inclusion progressive	=	_____
--	---	-------

Modification des impôts municipaux	=	_____
---------------------------------------	---	-------

Impôts fonciers de 1998 calculés de nouveau définitifs	=	_____
--	---	-------

Impôts de 1998 maximaux	=	_____
----------------------------	---	-------

ONTARIO REGULATION 52/99
made under the
MUNICIPAL ACT

Made: February 5, 1999
Filed: February 5, 1999

Amending O. Reg. 406/98
(Tax Related Matters)

Note: Ontario Regulation 406/98 has previously been amended by Ontario Regulations 480/98 and 589/98.

1. Section 2 of Ontario Regulation 406/98 is revoked.
2. Section 6 of the Regulation is revoked.

AL LEACH
Minister of Municipal Affairs and Housing

Dated on February 5, 1999.

8/99

Les impôts fonciers de 1998 calculés de nouveau définitifs ne peuvent dépasser les impôts de 1998 maximaux

Redressement des

impôts de 1998 = Impôts fonciers de 1998 calculés de nouveau définitifs - Impôts de 1998 déjà facturés

= _____ - _____
= _____

* Les impôts de base de 1997 comprennent tous les impôts sur les entreprises payés par les occupants du bien, mais non les redevances d'aménagement commercial ni les contributions pour les aménagements locaux.

ERNIE EVES
Minister of Finance

Dated on February 4, 1999.

8/99

ONTARIO REGULATION 51/99
made under the
PLANNING ACT

Made: January 28, 1999
Filed: February 5, 1999

Revoking O. Reg. 85/84
(Territorial District of Kenora—Unorganized Parts of the Red Lake and Area Planning Area)

1. Ontario Regulations 85/84, 174/87, 462/89, 692/89, 59/90 and 55/92 are revoked.

BARBARA KONYI
Manager
Provincial Planning Services Branch
Ministry of Municipal Affairs and Housing

Dated on January 28, 1999.

8/99

RÈGLEMENT DE L'ONTARIO 52/99
pris en application de la
LOI SUR LES MUNICIPALITÉS

pris le 5 février 1999
déposé le 5 février 1999

modifiant le Règl. de l'Ont. 406/98
(Questions relatives aux impôts)

Remarque : Le Règlement de l'Ontario 406/98 a été modifié antérieurement par les Règlements de l'Ontario 480/98 et 589/98.

1. L'article 2 du Règlement de l'Ontario 406/98 est abrogé.
2. L'article 6 du Règlement est abrogé.

AL LEACH
Ministre des Affaires municipales et du Logement

Fait le 5 février 1999.

ONTARIO REGULATION 53/99made under the
MUNICIPAL ACT

Made: February 5, 1999

Filed: February 5, 1999

TAX MATTERS—EXTENSION OF DEADLINES**NEW 1998 TAX RATIOS DEADLINE**

1. February 28, 1999 is prescribed for the purposes of paragraph 1 of subsection 363 (31) of the Act.

GRADUATED TAX RATE BY-LAW DEADLINE

2. The time for passing a by-law under subsection 368.2 (1) of the Act for 1998 is extended to February 28, 1999.

PHASE-IN BY-LAW DEADLINE

3. The time for passing a by-law under subsection 372 (1) of the Act is extended to February 28, 1999.

REBATES UNDER SECTION 442.2 OF THE ACT

4. The time for passing a by-law under subsection 442.2 (1) of the Act for 1998 is extended to February 28, 1999.

REVOCATION OF ONTARIO REGULATION 710/98

5. Ontario Regulation 710/98 is revoked.

AL LEACH
Minister of Municipal Affairs and Housing

Dated on February 5, 1999.

8/99

ONTARIO REGULATION 54/99made under the
MUNICIPAL ACT

Made: February 5, 1999

Filed: February 5, 1999

Amending O. Reg. 711/98
(Tax Matters—1999 Levies)

Note: Ontario Regulation 711/98 has not previously been amended.

1. Section 2 of Ontario Regulation 711/98 is revoked and the following substituted:

DATE BEFORE WHICH 1999 TAXES MAY NOT BE LEVIED
UNDER SECTION 368.0.3 OF THE ACT

2. March 1, 1999 is prescribed for the purposes of paragraph 1 of subsection 368.0.3 (1) of the Act.

2. Subsection 4 (1) of the Regulation is amended by striking out "February 1, 1999" in the third line and substituting "March 1, 1999".

AL LEACH
Minister of Municipal Affairs and Housing

Dated on February 5, 1999.

8/99

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Bilingual Lexicon of Legislative Terms

New Edition

This new edition of the *Bilingual Lexicon of Legislative Terms*, prepared by the Office of Legislative Counsel, is the result of a complete review of the 1992 edition. Every entry in that edition was checked against our statutes database. Hundreds of obsolete entries were deleted and thousands of new entries were added. These changes were based on a scanning of the Revised Statutes of Ontario, 1990 and of annual statutes to the end of 1997. Bilingual regulations were not scanned for the purpose of this edition, with the exception of the Rules of Civil Procedures and a few similar regulations.

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Cette nouvelle édition du *Lexique bilingue de termes législatifs*, préparée par le Bureau des conseillers législatifs, constitue une refonte complète de l'édition de 1992. Des centaines de termes désuets figurant dans la précédente édition ont été retranchés; en revanche, des milliers de nouveaux termes viennent enrichir l'ouvrage. Le choix des entrées et des contextes se fonde essentiellement sur le dépouillement des Lois refondues de l'Ontario de 1990 et sur celui des lois annuelles jusqu'à la fin de 1997. Les règlements bilingues n'ont pas été dépouillés, à l'exception des Règles de procédure civile et de quelques règlements analogues.

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1999-02-27

ONTARIO REGULATION 55/99 made under the HIGHWAY TRAFFIC ACT

Made: February 3, 1999

Filed: February 8, 1999

Amending Reg. 604 of R.R.O. 1990
(Parking)

Note: Since the end of 1997, Regulation 604 has been amended by Ontario Regulations 30/98, 417/98 and 716/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Paragraph 21 of Schedule 2 of Appendix A to Regulation 604 of the Revised Regulations of Ontario, 1990 is revoked.

2. Paragraph 19 of Schedule 13 of Appendix A to the Regulation is revoked.

3. Paragraph 1 of Schedule 25 of Appendix A to the Regulation is revoked.

4. Schedules 46 and 58 of Appendix A to the Regulation are revoked.

5. Paragraph 1 of Schedule 62 of Appendix A to the Regulation is revoked.

ONTARIO REGULATION 57/99 made under the EDUCATION ACT

Made: February 8, 1999

Filed: February 8, 1999

Amending O. Reg. 444/98
(Disposition of Surplus Real Property)

Note: Ontario Regulation 444/98 has not previously been amended.

1. Subsection 3 (5) of Ontario Regulation 444/98 is amended by striking out "before February 1, 1999" in the first line.

2. Subsection 4 (5) of the Regulation is amended by striking out "before February 1, 1999" in the first line.

3. Clause 9 (1) (a) of the Regulation is amended by striking out "on or before January 31, 1999" in the second and third lines.

DAVID JOHNSON
Minister of Education and Training

Dated on February 8, 1999.

9/99

6. Schedules 67, 75, 78 and 84 of Appendix A to the Regulation are revoked.

TONY P. CLEMENT
Minister of Transportation

Dated on February 3, 1999.

9/99

ONTARIO REGULATION 56/99 made under the HIGHWAY TRAFFIC ACT

Made: February 3, 1999

Filed: February 8, 1999

Amending Reg. 580 of R.R.O. 1990
(Designation of Paved Shoulders on King's Highway)

Note: Regulation 580 has not previously been amended.

1. Schedules 1 and 2 to Regulation 580 of the Revised Regulations of Ontario, 1990 are revoked.

TONY P. CLEMENT
Minister of Transportation

Dated on February 3, 1999.

9/99

RÈGLEMENT DE L'ONTARIO 57/99 pris en application de la LOI SUR L'ÉDUCATION

pris le 8 février 1999

déposé le 8 février 1999

modifiant le Règl. de l'Ont. 444/98
(Aliénation de biens immeubles excédentaires)

Remarque : Le Règlement de l'Ontario 444/98 n'a pas été modifié antérieurement.

1. Le paragraphe 3 (5) du Règlement de l'Ontario 444/98 est modifié par suppression de «, avant le 1^{er} février 1999,» à la première ligne.

2. Le paragraphe 4 (5) du Règlement est modifié par suppression de «, avant le 1^{er} février 1999,» à la première ligne.

3. L'alinéa 9 (1) a) du Règlement est modifié par suppression de «au plus tard le 31 janvier 1999» aux deuxième et troisième lignes.

DAVID JOHNSON
Ministre de l'Éducation et de la Formation

Fait le 8 février 1999.

ONTARIO REGULATION 58/99
made under the
HEALTH INSURANCE ACT

Made: February 3, 1999
Filed: February 9, 1999

Amending Reg. 552 of R.R.O. 1990
(General)

Note: Since the end of 1997, Regulation 552 has been amended by Ontario Regulations 2/98, 44/98, 87/98, 111/98, 145/98, 146/98, 147/98, 172/98, 236/98, 375/98, 376/98, 377/98, 378/98, 478/98, 479/98, 528/98, 567/98 and 575/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Subsection 18 (2.1) of Regulation 552 of the Revised Regulations of Ontario, 1990 is amended by striking out "or" at the end of clause (d), by adding "or" at the end of clause "e" and by adding the following clause:

(f) 5 per cent for services rendered on or after March 1, 1999.

9/99

ONTARIO REGULATION 59/99
made under the
HEALTH INSURANCE ACT

Made: February 3, 1999
Filed: February 9, 1999

Amending Reg. 552 of R.R.O. 1990
(General)

Note: Since the end of 1997, Regulation 552 has been amended by Ontario Regulations 2/98, 44/98, 87/98, 111/98, 145/98, 146/98, 147/98, 172/98, 236/98, 375/98, 376/98, 377/98, 378/98, 478/98, 479/98, 528/98, 567/98, 575/98 and 58/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. (1) Subsection 18 (4) of Regulation 552 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(4) The maximum amount payable by the Plan for the services prescribed in subsection (1) is, where the services are provided to an insured person on or after April 1, 1999, in respect of each insured person, \$150 per twelve-month period.

(2) Section 18 of the Regulation is amended by adding the following subsection:

(7) The following apply with respect to services prescribed in subsection (1) provided on or after April 1, 1998 but before April 1, 1999:

1. This paragraph applies to services provided to an insured person on or after April 1, 1998 but before February 12, 1999. The maximum amount payable by the Plan for the services is, in respect of each insured person, \$220.
2. This paragraph applies to services provided to an insured person on or after February 12, 1999 but before April 1, 1999. The maximum amount payable by the Plan for the services is, in respect of each insured person, \$150 minus the amounts payable for services provided to the insured person on or after April 1, 1998 but before February 12, 1999. If that calculation would result in a negative number, the maximum amount is zero.
3. Despite subsection (2.1), the maximum amount payable under paragraph 2 shall be calculated using the amounts set out in subsection (2).

9/99

ONTARIO REGULATION 60/99
made under the
HEALTH INSURANCE ACT

Made: December 23, 1998
Filed: February 9, 1999

Amending Reg. 552 of R.R.O. 1990
(General)

Note: Since the end of 1997, Regulation 552 has been amended by Ontario Regulations 2/98, 44/98, 87/98, 111/98, 145/98, 146/98, 147/98, 172/98, 236/98, 375/98, 376/98, 377/98, 378/98, 478/98, 479/98, 528/98, 567/98, 575/98, 58/99 and 59/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. (1) Section 21 of Regulation 552 of the Revised Regulations of Ontario, 1990 is amended by adding the following subsection:

(2.2) The amount payable by the Plan under subsection (2) is decreased by 10 per cent if the service is rendered on or after November 1, 1998.

(2) Section 21 of the Regulation is amended by adding the following subsection:

(4.0.2) The amount payable by the Plan under subsection (4) is decreased by 10 per cent if the service is rendered on or after November 1, 1998.

2. This Regulation shall be deemed to have come into force on November 1, 1998.

9/99

ONTARIO REGULATION 61/99
made under the
ONTARIO NEW HOME WARRANTIES
PLAN ACT

Made: February 8, 1999
Filed: February 10, 1999

Amending Reg. 892 of R.R.O. 1990
(Administration of the Plan)

Note: Regulation 892 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Subparagraph 3 (1) of Schedule A to Regulation 892 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(1) The enrolment fee for every home of a type referred to in clauses (a) and (b) of the definition of "home" in section 1 of the Act is as follows:

Sale Price of the Home	Fee
\$100,000 or less	\$545
over \$100,000 up to and including \$150,000	570
over \$150,000 up to and including \$200,000	620
over \$200,000 up to and including \$250,000	670
over \$250,000 up to and including \$300,000	720
over \$300,000 up to and including \$350,000	770
over \$350,000 up to and including \$400,000	820
over \$400,000 up to and including \$450,000	870
over \$450,000 up to and including \$500,000	920
over \$500,000	970

2. This Regulation comes into force on February 15, 1999.

Passed by the Directors on July 30, 1998.

ONTARIO NEW HOME WARRANTY PROGRAM:

HUGH HERON
Chair

WARD CAMPBELL
Secretary

Confirmed by the members in accordance with the *Corporations Act* on July 30, 1998.

WARD CAMPBELL
Secretary

RÈGLEMENT DE L'ONTARIO 61/99
pris en application de la
LOI SUR LE RÉGIME DE GARANTIES DES
LOGEMENTS NEUFS DE L'ONTARIO

pris le 8 février 1999
déposé le 10 février 1999

modifiant le Règl. 892 des R.R.O. de 1990
(Administration du Régime)

Remarque : Le Règlement 892 a été modifié antérieurement. Ces modifications sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1997.

1. La sous-disposition 3 (1) de l'annexe A du Règlement 892 des Règlements refondus de l'Ontario de 1990 est abrogée et remplacée par ce qui suit :

(1) Les droits d'enregistrement pour chaque logement d'un genre visé aux alinéas a) et b) de la définition de «logement» à l'article 1 de la Loi s'établissent comme suit :

Prix de vente du logement	Droits
100 000 \$ ou moins	545 \$
plus de 100 000 \$, jusqu'à concurrence de 150 000 \$	570
plus de 150 000 \$, jusqu'à concurrence de 200 000 \$	620
plus de 200 000 \$, jusqu'à concurrence de 250 000 \$	670
plus de 250 000 \$, jusqu'à concurrence de 300 000 \$	720
plus de 300 000 \$, jusqu'à concurrence de 350 000 \$	770
plus de 350 000 \$, jusqu'à concurrence de 400 000 \$	820
plus de 400 000 \$, jusqu'à concurrence de 450 000 \$	870
plus de 450 000 \$, jusqu'à concurrence de 500 000 \$	920
plus de 500 000 \$	970

2. Le présent règlement entre en vigueur le 15 février 1999.

Adopté par les administrateurs le 30 juillet 1998.

ONTARIO NEW HOME WARRANTY PROGRAM:

HUGH HERON
Président

WARD CAMPBELL
Secrétaire

Ratifié par les membres conformément à la *Loi sur les personnes morales* le 30 juillet 1998.

WARD CAMPBELL
Secrétaire

ONTARIO REGULATION 62/99
made under the
PLANNING ACT

Made: February 9, 1999
Filed: February 10, 1999

Amending O. Reg. 104/72
(Restricted Areas—Regional Municipality of York,
Town of Markham)

Note: Since the end of 1997, Ontario Regulation 104/72 has been amended by Ontario Regulation 269/98. Previous amendments are listed in the Tables of Regulations in the Statutes of Ontario, 1991 and the Statutes of Ontario, 1997.

1. Paragraph 1 of section 2 of Ontario Regulation 104/72 is amended by striking out the numbers "23, 24" in the second line.

AUDREY BENNETT
Manager
Provincial Planning Services Branch
Ministry of Municipal Affairs and Housing

Dated on February 9, 1999.

9/99

ONTARIO REGULATION 63/99
made under the
LEGAL AID ACT

Made: October 20, 1998
Approved: December 18, 1998
Filed: February 11, 1999

Amending Reg. 710 of R.R.O. 1990
(General)

Note: Regulation 710 has previously been amended. These amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Section 93 of Regulation 710 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

93. (1) The Law Society shall contribute to the Fund a percentage of the assessable administrative expenses as follows:

1. On or before March 31 in each of 1997 and 1998, an amount equal to 25 per cent of the estimated assessable administrative expenses for the fiscal year that began on the preceding April 1, as estimated by the Director.
2. On or before June 30 in each of 1997 and 1998, the difference, if any, between 25 per cent of the assessable administrative expenses for the fiscal year mentioned in paragraph 1 and the amount paid under that paragraph.
3. On or before March 31, 1999, an amount equal to 18.75 per cent of the estimated assessable administrative expenses for the period from April 1, 1998 to March 31, 1999, as estimated by the Director.
4. On or before June 30, 1999, the difference, if any, between 18.75 per cent of the assessable administrative expenses for the period mentioned in paragraph 3 and the amount paid under that paragraph.

(2) If the amount paid under paragraph 1 of subsection (1) exceeds 25 per cent of the assessable administrative expenses for the period

mentioned in that paragraph, the excess shall be returned to the Law Society.

(3) If the amount paid under paragraph 3 of subsection (1) exceeds 18.75 per cent of the assessable administrative expenses for the period mentioned in that paragraph, the excess shall be returned to the Law Society.

(4) All fees payable to solicitors for legal aid provided pursuant to certificates issued before April 1, 1996 shall be reduced by 5 per cent.

(5) If, under this section as it read on March 31, 1996, the Law Society reduces by 5 per cent a solicitor's account for legal aid provided pursuant to certificates issued on or after April 1, 1996, the Law Society shall pay the amount of the reduction to the solicitor without interest.

(6) This section as it read on March 31, 1996 continues to apply to contributions that the Law Society was required to make under subsection (1) as it read on March 31, 1996.

2. (1) Subsection 99.1 (2) of the Regulation is revoked and the following substituted:

(2) The maximum annual fees payable under the Plan for a fiscal year ending on or before March 31, 1998 are as follows:

1. \$150,000 for a solicitor with four years or less certified experience.
2. \$168,750 for a solicitor with more than four but less than 10 years certified experience.
3. \$187,500 for a solicitor with 10 years or more certified experience.

(2.1) The maximum annual fees payable under the Plan for a fiscal year ending after March 31, 1998 are as follows:

1. \$157,500 for a solicitor with four years or less certified experience.
2. \$177,190 for a solicitor with more than four but less than 10 years certified experience.
3. \$196,875 for a solicitor with 10 years or more certified experience.

(2) Subsection 99.1 (3) of the Regulation is amended by striking out "subsection (2)" in the first line and substituting "subsections (2) and (2.1)".

(3) Subsection 99.1 (4) of the Regulation is amended by striking out "subsection (2)" in the first line and substituting "subsections (2) and (2.1)".

(4) Section 99.1 of the Regulation is amended by adding the following subsection:

(5) The amount of the 5 per cent reduction that the Law Society is required to pay to a solicitor under subsection 93 (5) shall not be included in the calculation of the maximum annual fees payable under the Plan for the purposes of subsections (2) and (2.1).

3. (1) Item 2.1 of Part I of the Table to Schedule 2 to the Regulation is amended by striking out clause (a) in Column 1 and substituting the following:

(a) all preparation, pretrial conferences with the Crown, judicial interim release hearings after the first hearing, variations of judicial interim release orders, judicial pretrials after the first judicial pretrial, waiting time, correspondence, communications, document preparation; and

(2) Item 2.2 of Part I of the Table to Schedule 2 to the Regulation is revoked and the following substituted:

2.2	The following maximums apply to services under item 2.1:	
	(a) for the first day of preliminary inquiry or trial where the inquiry and trial last 10 days or less and the client pleads guilty or the charges are withdrawn	13
	(b) for the first day of preliminary inquiry or trial where the inquiry and trial last 10 days or less and the client does not plead guilty ..	15
	(c) for the first day of preliminary inquiry or trial where the inquiry and trial last more than 10 days	22
	(d) for each day of preliminary inquiry or trial after the first day	4
	(e) in any event, the total maximum hours allowed under clauses (a) and (d), under clauses (b) and (d) or under clauses (c) and (d) is	64

(3) Item 5.1 of Part II of the Table to Schedule 2 to the Regulation is amended by striking out clause (a) in Column 1 and substituting the following:

- (a) all preparation, pretrial conferences with the Crown, judicial interim release hearings after the first hearing, variations of judicial interim release orders, judicial pretrials after the first judicial pretrial, waiting time, correspondence, communications, document preparation;

(4) Item 5.1 of Part II of the Table to Schedule 2 to the Regulation is amended by striking out "6.5" in Column 2 and substituting "8.5".

(5) Items 5.2 and 5.3 of Part II of the Table to Schedule 2 to the Regulation are revoked and the following substituted:

5.2	For,	
	(a) all preparation, pretrial conferences with the Crown, judicial interim release hearings after the first hearing, variations of judicial interim release orders, judicial pretrials after the first judicial pretrial, waiting time, correspondence, communications, document preparation;	
	(b) adjournments and remands; and	
	(c) a half-day in court for a plea of guilty or a withdrawal of all charges,	
	where the total time spent on services described in clause (a) exceeds five hours	13
5.3	For,	
	(a) all preparation, pretrial conferences with the Crown, judicial interim release hearings after the first hearing, variations of judicial interim release orders, judicial pretrials after the first judicial pretrial, waiting time, correspondence, communications, document preparation;	
	(b) adjournments and remands; and	
	(c) two half-days in court for a plea of guilty or a withdrawal of all charges,	13

(6) Item 5.4 of Part II of the Table to Schedule 2 to the Regulation is amended by striking out clause (a) in Column 1 and substituting the following:

- (a) all preparation, pretrial conferences with the Crown, judicial interim release hearings after the first hearing, variations of judicial interim release orders, judicial pretrials after the first judicial pretrial, waiting time, correspondence, communications, document preparation;

(7) Item 5.4 of Part II of the Table to Schedule 2 to the Regulation is amended by striking out "11" in Column 2 and substituting "15".

(8) Item 7.1 of Part III of the Table to Schedule 2 to the Regulation is amended by striking out clause (a) in Column 1 and substituting the following:

- (a) all preparation, pretrial conferences with the Crown, judicial interim release hearings after the first hearing, variations of judicial interim release orders, judicial pretrials after the first judicial pretrial, waiting time, correspondence, communications, document preparation;

(9) Item 7.1 of Part III of the Table to Schedule 2 to the Regulation is amended by striking out "4" in Column 2 and "3" in Column 3 and substituting "6" and "5" respectively.

(10) Item 7.2 of Part III of the Table to Schedule 2 to the Regulation is amended by striking out clause (a) in Column 1 and substituting the following:

- (a) all preparation, pretrial conferences with the Crown, judicial interim release hearings after the first hearing, variations of judicial interim release orders, judicial pretrials after the first judicial pretrial, waiting time, correspondence, communications, document preparation;

(11) Item 7.2 of Part III of the Table to Schedule 2 to the Regulation is amended by striking out "6.5" in Column 2 and "5" in Column 3 and substituting "8.5" and "7" respectively.

(12) Item 7.3 of Part III of the Table to Schedule 2 to the Regulation is amended by striking out clause (a) in Column 1 and substituting the following:

- (a) all preparation, pretrial conferences with the Crown, judicial interim release hearings after the first hearing, variations of judicial interim release orders, judicial pretrials after the first judicial pretrial, waiting time, correspondence, communications, document preparation;

(13) Item 7.3 of Part III of the Table to Schedule 2 to the Regulation is amended by striking out "6.5" in Column 2 and "5" in Column 3 and substituting "10.5" and "9" respectively.

(14) The title to Part IV of the Table to Schedule 2 to the Regulation is revoked and the following substituted:

PART IV ANCILLARY CRIMINAL PROCEEDINGS

(15) Items 8, 8.1, 8.2 and 8.3 of Part IV of the Table to Schedule 2 to the Regulation are revoked and the following substituted:

ITEM	COLUMN 1	COLUMN 2
		Maximum Hours Allowed
8.	Interim Release, <i>Canadian Charter of Rights and Freedoms</i>, Criminal Code Review Board Hearings, Pretrial Hearings	
8.1	For all preparation and attendance for the first application for judicial interim release	2
8.2	For all preparation, including drafting, serving and filing of the notice of motion and factum and for attendance at the hearing for the first application for an order pursuant to the <i>Canadian Charter of Rights and Freedoms</i>	2
8.3	For all preparation and attendance at the first judicial pretrial hearing with a judge	2
8.4	For all services for application to the Ontario Court (General Division) for review of orders made under section 515 of the <i>Criminal Code</i> (Canada), where approved by the Area Director	5
8.5	For all services rendered in connection with a Criminal Code Review Board hearing: (a) for all services other than attendance at the hearing, (i) for the first day of hearing (ii) for second day of hearing . (b) for attendance at the hearing . .	 10 8 No maximum
8.6	For all services for an application for interim release pending appeal to the Ontario Court (General Division), the Court of Appeal or the Supreme Court of Canada or for an application for release pending a new trial	5
8.7	For all services for an extension of interim release pending appeal to the Ontario Court (General Division), the Court of Appeal or the Supreme Court of Canada or for an extension of release pending a new trial	3

(16) Item 9.1 of Part IV of the Table to Schedule 2 to the Regulation is amended by striking out the portion before clause (a) in Column 1 and substituting the following:

For all services rendered in connection with a summary conviction appeal to the Ontario Court (General Division) other than attendance in court on the hearing of the appeal,

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(17) Item 9.1 of Part IV of the Table to Schedule 2 to the Regulation is amended by striking out "14" in Column 2 opposite clause (a) and substituting "16" and by striking out "12" in Column 2 opposite clause (b) and substituting "14".

(18) Item 9.3 of Part IV of the Table to Schedule 2 to the Regulation is amended by striking out clause (a) and substituting the following:

(a) for all services rendered in connection with the appeal, other than attendance in court on the hearing of the appeal, and for one day attendance on the hearing of the appeal	11
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(19) Item 10.1 of Part IV of the Table to Schedule 2 to the Regulation is revoked and the following substituted:

10.1	For all services rendered in connection with an appeal to the Court of Appeal other than attendance in court on the hearing of the appeal.	
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(20) Item 10.2 of Part IV of the Table to Schedule 2 to the Regulation is amended by striking out "35" in Column 2 opposite clause (a) and substituting "37", by striking out "4" in Column 2 opposite subclause (b) (i) and substituting "14" and by striking out "6" in Column 2 opposite subclause (b) (ii) and substituting "16".

(21) Item 11.1 of Part IV of the Table to Schedule 2 to the Regulation is revoked and the following substituted:

11.1	For all services rendered in connection with an appeal to the Supreme Court of Canada, other than attendance in court on the hearing of the application for leave to appeal and appeal.	
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(22) Item 11.2 of Part IV of the Table to Schedule 2 to the Regulation is amended by striking out "10" in Column 2 opposite clause (a) and substituting "12" and by striking out "35" in Column 2 opposite clause (b) and substituting "37".

(23) Item 12.1 of Part IV of the Table to Schedule 2 to the Regulation is amended by striking out "8" in Column 2 and substituting "16".

(24) Part V of the Table to Schedule 2 to the Regulation is amended by adding the following item:

15.4	A solicitor shall be paid an administrative fee in the amount of one-half hour of the hourly rate upon signing and returning the acknowledgment and undertaking of a certificate.	
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4. (1) Item 2.1 of Part II of the Table to Schedule 3 to the Regulation is amended by striking out "1.5" in Column 2 and substituting "2.5".

(2) Item 2.2 of Part II of the Table to Schedule 3 to the Regulation is amended by striking out "3" in Column 2 and substituting "4".

(3) Item 7.1 of Part II of the Table to Schedule 3 to the Regulation is revoked and the following substituted:

7.1	The maximums provided in items 7.2 to 7.10 include all services before the first pre-trial hearing, including interviews, correspondence, communications, pleadings, preparation of financial statements, discovery, production, disclosure, case management meetings with a judge, opinion letters, reporting and billing (with billing being allowed a maximum of 0.2 hours).	
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(4) Item 7.2 of Part II of the Table to Schedule 3 to the Regulation is amended by striking out "6.5" in Column 2 and substituting "12".

(5) Item 7.3 of Part II of the Table to Schedule 3 to the Regulation is amended by striking out "11.5" in Column 2 and substituting "15".

(6) Item 7.6 of Part II of the Table to Schedule 3 to the Regulation is amended by striking out "6.5" in Column 2 and substituting "8".

(7) Item 7.9 of Part II of the Table to Schedule 3 to the Regulation is amended by striking out "5.5" in Column 2 and substituting "7.5".

(8) Part II of the Table to Schedule 3 to the Regulation is amended by adding the following item:

7.11	For all preparation for and attendance at the first pretrial conference, case conference, settlement conference or issues hearing	4
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(9) Items 8.2 and 8.3 of Part II of the Table to Schedule 3 to the Regulation are revoked and the following substituted:

8.2	All proceedings under the <i>Child and Family Services Act</i> for all services where a children's aid society is seeking an order for society supervision or wardship	19
8.3	In proceedings under the <i>Child and Family Services Act</i> where a children's aid society is seeking an order for Crown wardship	22
8.4	For all services for a motion for temporary-care and custody	6
8.5	For preparation for and attendance at a status review hearing	6

(10) Item 12.1 of Part II of the Table to Schedule 3 to the Regulation is amended by striking out "15" in Column 2 and substituting "17".

(11) Item 12.3 of Part II of the Table to Schedule 3 to the Regulation is amended by striking out "35" in Column 2 and substituting "37".

(12) Item 13.1 of Part II of the Table to Schedule 3 to the Regulation is amended by striking out "10" in Column 2 and substituting "12".

(13) Item 13.3 of Part II of the Table to Schedule 3 to the Regulation is amended by striking out "25" in Column 2 and substituting "27".

(14) Item 14.1 of Part II of the Table to Schedule 3 to the Regulation is amended by striking out "14" in Column 2 and substituting "16".

(15) Item 16.1 of Part II of the Table to Schedule 3 to the Regulation is revoked and the following substituted:

16.1	(a) For all preparation before the first day of hearing before the Consent and Capacity Board, the Ontario Parole Board, the Federal Parole Board or the Warden's Court	10
	(b) For all preparation before the first day of hearing before other quasi-judicial or administrative boards or tribunals	8
	(c) For all preparation before each subsequent day of hearing	2
	(d) For attendance at the hearing	No maximum
	(e) For preparation for the separate hearing of a second issue in a matter under the <i>Mental Health Act</i> , the <i>Substitute Decisions Act, 1992</i> or the <i>Health Care Consent Act, 1996</i>	3

(16) Item 17.1 of Part II of the Table to Schedule 3 to the Regulation is revoked and the following substituted:

17.1	For all services in drawing a will, together with or without a power of attorney	4
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(17) Part IV of the Table to Schedule 3 to the Regulation is amended by adding the following item:

25.5	A solicitor shall be paid an administrative fee in the amount of one-half hour of the hourly rate upon signing and returning the acknowledgment and undertaking of a certificate.	
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5. Schedule 5 to the Regulation is amended by adding the following Note:

E. In addition to the hourly fees payable under this Schedule, a duty counsel shall be paid an appearance fee of,

- (a) \$40 per day per court for an appearance in the family court, criminal court or young offender court;
- (b) \$40 per day per location for an attendance at a jail, a mental hospital or a legal advice location;
- (c) \$40 per authorization for providing family violence advice up to a maximum of one authorization per day; and
- (d) \$40 per authorization for acting as a special duty counsel up to a maximum of one authorization per day.

6. (1) Subject to subsection (2), this Regulation shall be deemed to have come into force on April 1, 1998.

(2) Section 1 shall be deemed to have come into force on April 1, 1996.

LAW SOCIETY OF UPPER CANADA:

HARVEY T. STROSBERG
Treasurer

RICHARD TINSLEY
Secretary

Dated on October 20, 1998.

9/99

ONTARIO REGULATION 64/99
made under the
FUEL TAX ACT

Made: February 10, 1999

Filed: February 11, 1999

Amending Reg. 466 of R.R.O. 1990
(Refunds)

Note: Regulation 466 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. (1) The definition of "applicant" in section 1 of Regulation 466 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

"applicant" means a collector, importer, wholesaler or retail dealer who applies for a refund under this Regulation;

(2) Section 1 of the Regulation is amended by adding the following definitions:

"bankruptcy debt" means a debt incurred by a person who subsequently becomes a bankrupt within the meaning of the *Bankruptcy and Insolvency Act* (Canada);

"debt" means the portion of the sale price of fuel that remains unpaid and owing to an applicant;

"designated time limit" means, in respect of an application for a refund under this section, within four years after,

- (a) the last day of the applicant's fiscal year in which the applicant wrote off the debt as an uncollectible account, if the refund relates to a debt other than a bankruptcy debt or a receivership debt,
- (b) the date of filing of the applicant's claim with the debtor's trustee in bankruptcy or receiver, as the case may be, if the refund relates to a bankruptcy debt or a receivership debt, or
- (c) the date of the loss, destruction, theft or contamination of the fuel, if the refund relates to fuel that was lost, destroyed, stolen or contaminated;

"receivership debt" means a debt owed by a debtor who is in receivership and whose property is under the control of a receiver;

"sale price" includes, in respect of the sale of fuel, the amount on account of the tax under the Act in respect of the fuel.

2. Section 2 of the Regulation is revoked and the following substituted:

2. (1) The Minister may allow a refund to an applicant of an amount on account of tax collectible or payable under the Act that has been remitted by the applicant to the Minister, or that has been paid over by the applicant in accordance with the Act for subsequent remittance to the Minister,

- (a) if the tax is in respect of fuel sold by the applicant and all or part of the sale price of the fuel has not been paid and has become an uncollectible debt; or
- (b) if the tax is in respect of fuel that has been lost, destroyed, stolen or contaminated, and cannot be sold or used by the applicant.

(2) Despite subsection (1), no refund is allowed in any of the following circumstances:

- 1. If any portion of the sale price of the fuel referred to in clause (1) (a) has been assigned by private contract, with or without recourse, other than for security purposes, to a person other than the Minister.
- 2. If the applicant was not in compliance with legislation requiring licensing with respect to fuel handling at the time of the sale of the fuel referred to in clause (1) (a) or of the loss, destruction, theft or contamination of the fuel referred to in clause (1) (b), as the case may be.
- 3. If a refund of an amount on account of the tax has previously been made, or the applicant is otherwise entitled under the Act or the regulations to receive or to apply to receive a refund of or an allowance in compensation for the amount on account of the tax.
- 4. If the applicant and the debtor were not dealing at arm's length within the meaning of section 251 of the *Income Tax Act* (Canada) at the time of the sale of the fuel, in the case of fuel referred to in clause (1) (a).
- 5. If the applicant has not complied with the requirements of this section.
- 6. If the Minister is not satisfied that,
 - i. in the case of fuel referred to in clause (1) (a), the debt is uncollectible, or
 - ii. in the case of fuel referred to in clause (1) (b), the fuel cannot be used or sold by the applicant and compensation referable to the amount of the refund has not been received by the applicant.
- 7. If the application for the refund is not made before the end of the designated time limit.

(3) The amount of the refund is determined as follows:

- 1. If all or part of the sale price of fuel sold by the applicant has not been paid and has become an uncollectible debt, other than a receivership or bankruptcy debt, the amount of the refund is equal to that portion of the amount remitted or paid over by the applicant on account of tax with respect to the fuel that the uncollectible debt bears to the total sale price of the fuel.
- 2. If all or part of the sale price of the fuel sold by the applicant has not been paid and has become a receivership or bankruptcy debt, the amount of the refund is equal to that portion of the amount remitted or paid over by the applicant on account of tax with respect to the fuel that the receivership or bankruptcy debt bears to the total sale price for the fuel.
- 3. If the fuel has been lost, destroyed, stolen or contaminated, the amount of the refund is equal to the amount remitted or paid over by the applicant on account of tax with respect to the fuel.

(4) If the applicant is not a collector, the applicant may apply for a refund under this section in respect of an uncollectible debt by delivering to the Minister an application for the refund in a form acceptable to the Minister, together with all other information and documents that the Minister requires, including the following:

- 1. Copies of all invoices for the sale of fuel in respect of which the refund is claimed.

2. Proof satisfactory to the Minister that the amount claimed was remitted to the Minister under the Act or was paid over as required under the Act for remittance to the Minister.
3. A signed statement by the applicant certifying the amount of the debt and certifying that the applicant does not have any right to receive any payment in satisfaction of part or all of the debt from any person other than the debtor or the debtor's representative.
4. Proof satisfactory to the Minister that all reasonable collection action has been taken to obtain payment of the debt, that the debt is unsecured, that the debt is uncollectible and that the applicant has written off the debt as uncollectible in accordance with generally accepted accounting principles.
5. If the debt is a receivership debt, a signed statement by the applicant certifying that the applicant has filed with the debtor's receiver a claim in respect of the debt to which the refund relates.
6. If the debt is a bankruptcy debt, a copy of the applicant's proof of claim in the bankruptcy in respect of the debt to which the application relates, proof satisfactory to the Minister that the proof of claim was not disallowed and proof satisfactory to the Minister that the applicant will not receive payment of the debt from the trustee in bankruptcy or other person.
7. If the debt is a bankruptcy debt or a receivership debt, an assignment to the Minister in a form satisfactory to the Minister of the portion of the debt equal to the amount of the refund claimed.

(5) If the applicant is not a collector, the applicant may apply for a refund under this section in respect of fuel that has been lost, destroyed, stolen or contaminated by delivering to the Minister an application for the refund in a form acceptable to the Minister, together with all other information and documents that the Minister requires, including the following:

1. A copy of any settlement by or written confirmation from an insurance company confirming settlement of any claim for the loss with respect to which the refund is being claimed.
2. A copy of any police report made with respect to the loss.
3. A copy of any fire marshal's report made with respect to the cause of the loss.
4. Proof that the amount claimed was remitted to the Minister under the Act or was paid over in accordance with the Act for remittance to the Minister.

(6) If the Minister is satisfied that an applicant, other than a collector, is entitled to a refund under this section, the Minister may pay the refund to the applicant.

(7) If the applicant under this section is a collector, the following rules apply:

1. The collector may deliver to the Minister an application for the refund in a form approved by the Minister and may then deduct and retain the amount of the refund from an amount that the collector would otherwise remit to the Minister under the Act.
2. The collector shall retain for subsequent verification by the Minister the material in connection with the refund application that would otherwise be required to be delivered to the Minister by an applicant under subsection (4) or (5) with an application for the refund.
3. If the Minister disallows all or part of the refund, the Minister shall cause to be served on the collector a statement of disallow-

ance under section 13 of the Act. The collector shall remit to the Minister the amount of the refund disallowed by the Minister, together with interest on the amount at the prescribed rate for the period during which the collector retained the amount. The collector shall remit that amount with the next return or at any earlier time specified in the statement of disallowance, whether or not an objection to the disallowance is made or an appeal from the disallowance is taken.

(8) For the purposes of paragraph 3 of subsection (7),

"prescribed rate" means the rate prescribed by paragraph 3 of subsection 8 (1.1) of Regulation 465 of the Revised Regulations of Ontario, 1990 ("Miscellaneous") made under the Act.

3. (1) This section applies if a refund in respect of a debt is made under section 2 and the applicant subsequently receives,

(a) a payment from the debtor; or

(b) a payment in satisfaction of all or part of the debt.

(2) When the applicant receives a payment, the applicant shall pay to the Minister the portion of the payment that is determined by the Minister to have been paid to the applicant on account of tax payable under the Act.

(3) The payment to the applicant shall be allocated, for the purposes of this section, to the applicable sales of fuel in the order of the dates of the applicable sales.

9/99

ONTARIO REGULATION 65/99 made under the GASOLINE TAX ACT

Made: February 10, 1999

Filed: February 11, 1999

Amending Reg. 533 of R.R.O. 1990
(General)

Note: Regulation 533 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Section 4 of Regulation 533 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

4. (1) In this section,

"applicant" means a collector, importer, wholesaler or retailer who applies for a refund under this section;

"bankruptcy debt" means a debt incurred by a person who subsequently becomes a bankrupt within the meaning of the *Bankruptcy and Insolvency Act* (Canada);

"debt" means the portion of the sale price of taxable product that remains unpaid and owing to an applicant;

"designated time limit" means, in respect of an application for a refund under this section, within four years after,

(a) the last day of the applicant's fiscal year in which the applicant wrote off the debt as an uncollectible account, if the refund relates to a debt other than a bankruptcy debt or a receivership debt,

- (b) the date of filing of the applicant's claim with the debtor's trustee in bankruptcy or receiver, as the case may be, if the refund relates to a bankruptcy debt or a receivership debt, or
- (c) the date of the loss, destruction, theft or contamination of the taxable product, if the refund relates to taxable product that was lost, destroyed, stolen or contaminated;

"receiver" includes a receiver and manager;

"receivership debt" means a debt owed by a debtor who is in receivership and whose property is under the control of a receiver;

"sale price" includes, in respect of the sale of taxable product, the amount on account of the tax under the Act in respect of the taxable product;

"taxable product" means gasoline, aviation fuel or propane.

(2) The Minister may allow a refund to an applicant of an amount on account of tax collectible or payable under the Act that has been remitted by the applicant to the Minister, or that has been paid over by the applicant in accordance with the Act for subsequent remittance to the Minister,

- (a) if the tax is in respect of taxable product sold by the applicant and all or part of the sale price has not been paid and has become an uncollectible debt; or
- (b) if the tax is in respect of taxable product that has been lost, destroyed, stolen or contaminated, and cannot be sold or used by the applicant.

(3) Despite subsection (2), no refund is allowed in any of the following circumstances:

1. If any portion of the sale price of the taxable product referred to in clause (2) (a) has been assigned by private contract, with or without recourse, other than for security purposes, to a person other than the Minister.
2. If the applicant was not in compliance with legislation requiring licensing with respect to the handling of taxable product at the time of the sale of the taxable product referred to in clause (2) (a) or of the loss, destruction, theft or contamination of the taxable product referred to in clause (2) (b), as the case may be.
3. If a refund of an amount on account of the tax has previously been made, or the applicant is otherwise entitled under the Act or the regulations to receive or to apply to receive a refund of or an allowance in compensation for the amount on account of the tax.
4. If the applicant and the debtor were not dealing at arm's length within the meaning of section 251 of the *Income Tax Act* (Canada) at the time of the sale of the taxable product, in the case of taxable product referred to in clause (2) (a).
5. If the applicant has not complied with the requirements of this section.
6. If the Minister is not satisfied that,
 - i. in the case of taxable product referred to in clause (2) (a), the debt is uncollectible, or
 - ii. in the case of taxable product referred to in clause (2) (b), the taxable product cannot be used or sold by the applicant and compensation referable to the amount of the refund has not been received by the applicant.
7. If the application for the refund is not made before the end of the designated time limit.

(4) The amount of the refund is determined as follows:

1. If all or part of the sale price of the taxable product sold by the applicant has not been paid and has become an uncollectible debt, other than a receivership or bankruptcy debt, the amount of the refund is equal to that portion of the amount remitted or paid over by the applicant on account of tax with respect to the taxable product that the uncollectible debt bears to the total sale price of the taxable product.
2. If all or part of the sale price of the taxable product sold by the applicant has not been paid and has become a receivership or bankruptcy debt, the amount of the refund is equal to that portion of the amount remitted or paid over by the applicant on account of tax with respect to the taxable product that the receivership or bankruptcy debt bears to the total sale price for the taxable product.
3. If the taxable product has been lost, destroyed, stolen or contaminated, the amount of the refund is equal to the amount remitted or paid over by the applicant on account of tax with respect to the taxable product.

(5) If the applicant is not a collector, the applicant may apply for a refund under this section in respect of an uncollectible debt by delivering to the Minister an application for the refund in a form acceptable to the Minister, together with all other information and documents that the Minister requires, including the following:

1. Copies of all invoices for the sale of taxable product in respect of which the refund is claimed.
2. Proof satisfactory to the Minister that the amount claimed was remitted to the Minister under the Act or was paid over as required under the Act for remittance to the Minister.
3. A signed statement by the applicant certifying the amount of the debt and certifying that the applicant does not have any right to receive any payment in satisfaction of part or all of the debt from any person other than the debtor or the debtor's representative.
4. Proof satisfactory to the Minister that all reasonable collection action has been taken to obtain payment of the debt, that the debt is unsecured, that the debt is uncollectible and that the applicant has written off the debt as uncollectible in accordance with generally accepted accounting principles.
5. If the debt is a receivership debt, a signed statement by the applicant certifying that the applicant has filed with the debtor's receiver a claim in respect of the debt to which the refund relates.
6. If the debt is a bankruptcy debt, a copy of the applicant's proof of claim in the bankruptcy in respect of the debt to which the application relates, proof satisfactory to the Minister that the proof of claim was not disallowed and proof satisfactory to the Minister that the applicant will not receive payment of the debt from the trustee in bankruptcy or other person.
7. If the debt is a bankruptcy debt or a receivership debt, an assignment to the Minister in a form satisfactory to the Minister of the portion of the debt equal to the amount of the refund claimed.

(6) If the applicant is not a collector, the applicant may apply for a refund under this section in respect of taxable product that has been lost, destroyed, stolen or contaminated by delivering to the Minister an application for the refund in a form acceptable to the Minister, together with all other information and documents that the Minister requires, including the following:

1. A copy of any settlement by or written confirmation from an insurance company confirming settlement of any claim for the loss with respect to which the refund is being claimed.
2. A copy of any police report made with respect to the loss.

3. A copy of any fire marshal's report made with respect to the cause of the loss.
4. Proof that the amount claimed was remitted to the Minister under the Act or was paid over in accordance with the Act for remittance to the Minister.

(7) If the Minister is satisfied that an applicant, other than a collector, is entitled to a refund under this section, the Minister may pay the refund to the applicant.

(8) If the applicant under this section is a collector, the following rules apply:

1. The collector may deliver to the Minister an application for the refund in a form approved by the Minister and may then deduct and retain the amount of the refund from an amount that the collector would otherwise remit to the Minister under the Act.
2. The collector shall retain for subsequent verification by the Minister the material in connection with the refund application that would otherwise be required to be delivered to the Minister by an applicant under subsection (5) or (6) with an application for the refund.
3. If the Minister disallows all or part of the refund, the Minister shall cause to be served on the collector a statement of disallowance under section 11 of the Act. The collector shall remit to the Minister the amount of the refund disallowed by the Minister, together with interest on the amount at the calculated rate under section 8 for the period during which the collector retained the amount. The collector shall remit the amount with the next return or at any earlier time specified in the statement of disallowance, whether or not an objection to or an appeal from the disallowance is made or taken.

5. (1) This section applies if a refund in respect of a debt is made under section 4 and the applicant subsequently receives,

- (a) a payment from the debtor; or
- (b) a payment from another person in satisfaction of all or part of the debt.

(2) When the applicant receives a payment, the applicant shall pay to the Minister the portion of the payment that is determined by the Minister to have been paid to the applicant on account of tax payable under the Act.

(3) The payment to the applicant shall be allocated, for the purposes of this section, to the applicable sales of taxable product in the order of the dates of the applicable sales.

9/99

ONTARIO REGULATION 66/99
made under the
GASOLINE TAX ACT

Made: February 10, 1999
Filed: February 11, 1999

Amending Reg. 533 of R.R.O. 1990
(General)

Note: Since the end of 1997, Regulation 533 has been amended by Ontario Regulation 65/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Paragraph 3 of section 9 of Regulation 533 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

3. Indians and bands with respect to the purchase of gasoline, aviation fuel or propane on a reserve for their exclusive use and with respect to the purchase of gasoline, aviation fuel or propane not on a reserve when the retailer delivers it to the reserve for their exclusive use. For the purposes of this paragraph "band", "Indian" and "reserve" have the meaning set out in section 9.1.

2. The Regulation is amended by adding the following sections:

CERTIFICATE OF EXEMPTION

9.1 In paragraph 3 of section 9 and in sections 9.2 and 9.3,

"band" means a band within the meaning of the *Indian Act* (Canada);

"fuel" means gasoline, aviation fuel or propane but not fuel as defined in the *Fuel Tax Act*;

"Indian" means an Indian within the meaning of the *Indian Act* (Canada);

"reserve" means a reserve as defined in the *Indian Act* (Canada) or an Indian Settlement located on Crown land, the Indian inhabitants of which are treated by the Department of Indian Affairs and Northern Development (Canada) in the same manner as Indians residing on a reserve as defined under the *Indian Act* (Canada).

9.2 (1) An Indian or a band shall apply to the Minister for a certificate of exemption if the Indian or band wishes to purchase, exempt from tax, fuel for his, her or its own use.

(2) The application must be made in a form approved by the Minister and must be accompanied by evidence satisfactory to the Minister that verifies the status of the applicant.

(3) Upon receiving the completed application and accompanying evidence, the Minister,

- (a) shall issue a certificate of exemption to the applicant if the application was signed by the chief of the band or the person authorized by the chief to sign it; and
- (b) may issue a certificate of exemption to the applicant if the application was not signed as described in clause (a).

(4) When purchasing fuel exempt from tax, the certificate holder shall present his, her or its certificate of exemption to the retailer and shall sign a voucher respecting the purchase.

(5) The voucher must be in a form approved by the Minister, must be imprinted with the information on the certificate of exemption and must contain the following information:

1. The name and authorization number of the retailer.
2. The date of the purchase.
3. The number of litres of fuel purchased or the number of litres received.
4. The total cost of the sale as recorded on the pump, including tax.
5. The amount of any tax charged.
6. The net cost of the sale to the certificate holder.
7. The license number of the vehicle into which any gasoline or propane is placed.

(6) The certificate holder shall not leave the certificate of exemption with the retailer or any other person.

(7) Upon request, the certificate holder shall give an employee of the Ministry such information as the employee may need to verify the certificate holder's purchases of fuel exempt from tax.

9.3 (1) Every retailer located on a reserve and every retailer not located on a reserve who intends to sell or deliver fuel, exempt from tax, to an Indian or a band on a reserve shall apply for authorization to sell fuel without collecting tax on it.

(2) The application must be made in a form approved by the Minister.

(3) Upon receiving the completed application, the Minister may authorize the retailer, in writing, to sell or deliver fuel, exempt from tax, to an Indian or a band that holds a certificate of exemption.

(4) The Minister is not required to give an authorization to a retailer who fails to satisfy the Minister of the retailer's ability to comply with the Act, the regulations and the requirements established by the Minister for the effective administration of the exemption described in paragraph 3 of section 9.

(5) The Minister may cancel or suspend a retailer's authorization if the retailer contravenes the Act or regulations, permits another person to contravene the Act or regulations or fails to comply with the terms of the authorization.

(6) Section 7 of the Act applies, with necessary modifications, if the Minister proposes to cancel or suspend a retailer's authorization.

(7) At the time of each sale or delivery, the retailer shall complete a voucher for the sale, imprint the voucher with the information on the applicable certificate of exemption and require the person purchasing the fuel or receiving the delivery to sign the voucher.

(8) The voucher must contain the information described in subsection 9.2 (6).

(9) The retailer shall not retain the purchaser's certificate of exemption after completing the voucher.

(10) At the request of the Minister, a retailer shall obtain from a purchaser such information as the Minister may specify about future sales or deliveries of fuel by the retailer to the purchaser.

(11) A retailer applying for a refund under section 28.1 of the Act shall submit a completed voucher to verify the sale of the fuel, exempt from tax.

(12) The Minister may disallow a retailer's application for a refund under section 28.1 of the Act or may assess the retailer under subsection 11 (12) of the Act if the voucher submitted by the retailer is not properly completed in the Minister's opinion or if the retailer otherwise fails to establish his, her or its entitlement to a refund.

9/99

Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1999—03—06

ONTARIO REGULATION 67/99 made under the LOCAL SERVICES BOARDS ACT

Made: February 19, 1999

Filed: February 19, 1999

Amending Reg. 737 of R.R.O. 1990
(Local Services Boards)

Note: Since the end of 1997, Regulation 737 has been amended by Ontario Regulations 125/98 and 489/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Subsection 13 (4) of Regulation 737 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(4) The Board may exercise the powers set out in paragraphs 1 to 6 of the Schedule to the Act.

CHRIS HODGSON

Minister of Northern Development and Mines

Dated on February 19, 1999.

10/99

CORRECTIONS

Ontario Regulation 9/99 under the *Electricity Act* published in the January 30, 1999 issue of *The Ontario Gazette*.

The date on which the regulation was made should have read January 13, 1999 and the date on which the regulation was filed should have read January 14, 1999.

Ontario Regulation 11/99 under the *Public Sector Labour Relations Transition Act*, 1997 published in the February 6, 1999 issue of *The Ontario Gazette*.

The date on which the regulation was filed should have read January 18, 1999.

Ontario Regulation 20/98 under the *Registry Act* published in the February 13, 1999 issue of *The Ontario Gazette*.

The reference to Ontario Regulation 20/98 should have read as follows:

ONTARIO REGULATION 20/99

Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1999—03—13

ONTARIO REGULATION 68/99 made under the RESPIRATORY THERAPY ACT, 1991

Made: February 11, 1999
Approved: February 24, 1999
Filed: February 25, 1999

Amending O. Reg. 596/94
(General)

Note: Ontario Regulation 596/94 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Ontario Regulation 596/94 is amended by adding the following Parts:

PART VI QUALITY ASSURANCE

GENERAL

32. In this Part,

"Committee" means the Quality Assurance Committee.

33. The Committee shall administer the quality assurance program, which shall include the following components:

1. Continuous quality improvement activities by members.
2. Assessment of members' knowledge, skills and judgment and remediation of members whose knowledge, skills or judgment have been assessed and found to be unsatisfactory.
3. Assessment of members who are alleged to have demonstrated behaviour or made remarks of a sexual nature towards a patient or client and remediation of members.

34. The College shall monitor the members' compliance with the quality assurance program.

CONTINUOUS QUALITY IMPROVEMENT ACTIVITIES

35. (1) Every member shall participate in continuous quality improvement activities which shall include,

- (a) self-assessment of the member's knowledge, skills and judgment;
- (b) development of a plan to improve one or more of the member's knowledge, skills or judgment;
- (c) implementation of the plan to improve one or more of the member's knowledge, skills or judgment; and
- (d) self-evaluation of the improvement in one or more of the member's knowledge, skills or judgment.

(2) Every member shall maintain records of his or her continuing quality improvement activities in accordance with the guidelines published by the Committee and delivered to the members.

(3) A member shall, on request,

- (a) provide accurate information to the College about his or her continuing quality improvement activities; and
- (b) make his or her records available to the College for inspection.

ASSESSMENTS

36. (1) Each year the Committee shall select at random the names of members required to undergo an assessment of their knowledge, skills and judgment.

(2) A member shall undergo an assessment of his or her knowledge, skills and judgment if his or her name is selected at random or if the member is referred to the Committee by the Registrar, the Executive Committee or a panel of the Complaints Committee.

37. (1) An assessment under section 36 shall be conducted by an assessor appointed under section 81 of the *Health Professions Procedural Code*.

(2) A person may be appointed to conduct an assessment of a member even though the person,

- (a) is an employee of the College; or
- (b) is acquainted with the member who is to undergo the assessment.

(3) The assessment may include,

- (a) inspecting and reviewing the member's premises and records relating to patient and client care, continuing quality improvement activities and equipment maintenance and quality control;
- (b) interviewing the member, his or her colleagues, staff, supervisors or employers;
- (c) requiring the member to answer questions orally or in writing; or
- (d) requiring the member to participate in one or more evaluations of the member's knowledge, skills or judgment including practical evaluations such as simulated situations, peer assessments or practice setting reviews.

(4) An assessor may obtain the assistance of other persons for the purposes of conducting an assessment.

38. (1) When an assessment is directed under section 36, the chair of the Committee shall select a panel from among the members of the Committee.

(2) A panel shall be composed of at least three persons, at least one of whom shall be a person appointed to the Council by the Lieutenant Governor in Council and at least one of whom shall be both a member of the College and a member of the Council.

(3) If one or more members of a panel become ill or are otherwise unable to continue as members of the panel,

- (a) the panel may continue to act with respect to the assessment so long as there are at least two members remaining on the panel; or
 - (b) the chair of the Committee may appoint other members to replace the previous panel members.
- (4) An assessor shall give a written report of the results of an assessment to the panel appointed under subsection (1).
- (5) The panel shall review the assessor's report and recommendations.

(6) If the report indicates that any of the member's knowledge, skills and judgment are unsatisfactory, the panel shall make reasonable efforts to obtain and review the member's records relating to his or her quality improvement activities, and after doing so, it may do one or more of the following:

- 1. Give the member an opportunity to correct the aspects of the member's knowledge, skills and judgment that the panel believes are unsatisfactory.
- 2. Require the member to undertake specified remedial or refresher measures or education.
- 3. If the panel finds that the member's knowledge, skills or judgment are unsatisfactory and the panel believes that any action taken under paragraph 1 or 2 would be inadequate, direct the Registrar to impose, subject to section 42, terms, conditions or limitations on the member's certificate of registration for a specified period not exceeding six months.

39. (1) Subject to section 42, a panel may direct the Registrar to impose terms, conditions or limitations on a member's certificate of registration, for a specified period not exceeding six months, if,

- (a) the member refuses to undertake the specified remedial or refresher measures or education required under paragraph 2 of subsection 38 (6); or
- (b) the member has undertaken the specified remedial or refresher measures or education required under paragraph 2 of subsection 38 (6) and the measures or education have not been successfully completed.

(2) If a term, condition or limitation is imposed for a specified period by the Registrar as a result of a direction made under subsection (1) or paragraph 3 of subsection 38 (6), the panel may direct the Registrar to remove the term, condition or limitation before the end of the specified period if the panel is satisfied that the member's knowledge, skills and judgment are satisfactory.

40. (1) If a panel takes action under subsection 38 (6) or 39 (1), it may, at the time it communicates its decision to the member or at any time thereafter, require the member to undergo a follow-up assessment to determine whether the member's knowledge, skills and judgment are satisfactory.

(2) Sections 37, 38 and 39 apply with necessary modifications to a follow-up assessment under this section.

41. (1) A panel may refer a member to the Executive Committee if,
- (a) the member fails to comply with the requirements of the quality assurance program; or
 - (b) the member poses a risk of harm to patients or clients.

(2) A panel that refers a member to the Executive Committee under subsection (1) may provide the Executive Committee with such information as it considers appropriate, except for information that may not be disclosed under section 83 of the *Health Professions Procedural Code*.

42. A panel shall not act under paragraph 3 of subsection 38 (6) or under subsection 39 (1) unless it gives the member written notice of what it intends to do, a copy of the assessor's report and at least 14 days to make a written submission to the panel.

BEHAVIOUR AND REMARKS OF A SEXUAL NATURE

43. (1) The chair of the Committee shall select a panel from among the members of the Committee to deal with any matter relating to sexual abuse as defined in clause 1 (3) (c) of the *Health Professions Procedural Code* that is referred to the Committee under paragraph 4 of subsection 26 (2) or section 79.1 of the *Health Professions Procedural Code* by the Complaints Committee, the Executive Committee or the Board.

(2) Subsections 38 (2) and (3) apply to a panel selected under this section.

44. (1) The panel appointed under subsection 43 (1) may require a member in respect of whom a matter mentioned in subsection 43 (1) has been referred to the Committee to undergo a psychological assessment or an assessment of the member's needs for education about sexual abuse.

(2) The person conducting the assessment shall provide a written report of the results of the assessment to the panel.

45. After considering the assessment report and subject to section 47, the panel may require the member to undergo specified therapy or to participate in a sexual abuse education program.

46. (1) Subject to section 47, the panel may direct the Registrar to impose terms, conditions or limitations on a member's certificate of registration, for a specified period not exceeding six months, if,

- (a) the member refuses to undergo an assessment required under section 44;
- (b) the member refuses to undergo therapy or to participate in the sexual abuse education program as required under section 45; or
- (c) the member participates in the specified therapy or the sexual abuse education program but fails to successfully complete the therapy or program.

(2) If a term, condition or limitation is imposed for a specified period by the Registrar as a result of a direction made under subsection (1), the panel may direct the Registrar to remove the term, condition or limitation before the end of the specified period if the panel is satisfied that it is no longer needed.

(3) A panel may refer a member to the Executive Committee if a term, condition or limitation has been imposed on the member's certificate of registration for a specified period of time under this section and the member,

- (a) continues to refuse to undergo an assessment;
- (b) continues to refuse to undertake the specified therapy or to participate in a sexual abuse education program required under section 45; or
- (c) fails to successfully complete the specified therapy or program.

(4) A panel that refers a member to the Executive Committee under subsection (3) may provide the Executive Committee with such information as it considers appropriate, except for information that may not be disclosed under section 83 of the *Health Professions Procedural Code*.

mation as it considers appropriate, except for information that may not be disclosed under section 83 of the Code.

47. A panel shall not act under section 45 or subsection 46 (1) unless it gives the member written notice of what it intends to do, a copy of the assessor's report and at least 14 days to make a written submission to the panel.

PART VII PRESCRIBED PROCEDURES

48. The following procedures are prescribed as procedures below the dermis for the purposes of paragraph 1 of section 4 of the Act:

1. Basic procedures:

- i. Arterial puncture.
- ii. Capillary puncture.
- iii. Tracheostomy tube change for an established stoma.
- iv. Transtracheal catheter change for an established stoma.

2. Added Procedures:

- i. Removal of a cannula.
- ii. Manipulation or repositioning of a cannula.
- iii. Aspiration from a cannula.
- iv. Venipuncture.
- v. Suturing to secure indwelling cannulae.
- vi. Transtracheal catheter change for a fresh stoma that is less than seven weeks.
- vii. Tracheostomy tube change for a fresh stoma that is less than seven days but not less than 24 hours.
- viii. Manipulation or reposition of a cannula balloon.

3. Advanced Procedures:

- i. Insertion of a cannula.
- ii. Chest needle insertion, aspiration, reposition and removal.
- iii. Chest tube insertion, aspiration, reposition and removal.

49. (1) It is a condition of a general certificate of registration that a member not perform an advanced procedure unless the member has, within two years before the procedure is performed, successfully completed a certification process or program approved by the Registration Committee of the College.

(2) The following are conditions of a graduate certificate of registration:

- 1. A member shall not perform advanced procedures.
- 2. A member shall not perform an added procedure unless the member is permitted to perform the procedure by the terms and conditions of his or her certificate of registration imposed under subsection 15 (2), 18 (2) or 19 (6) of the *Health Professions Procedural Code*.

(3) The following are conditions of a limited certificate of registration:

- 1. A member shall not perform a basic or added procedure unless the member is permitted to perform the procedure by the terms and conditions of his or her certificate of registration imposed under subsection 15 (2), 18 (2) or 19 (6) of the *Health Professions Procedural Code*.
- 2. A member shall not perform an advanced procedure unless,
 - i. the member is permitted to perform the procedure by the terms and conditions of his or her certificate of registration imposed under subsection 15 (2), 18 (2) or 19 (6) of the *Health Professions Procedural Code*, and
 - ii. the member has, within two years before the procedure is performed, successfully completed a certification process or program approved by the Registration Committee of the College.

COUNCIL OF THE COLLEGE OF
RESPIRATORY THERAPISTS OF ONTARIO:

RALPH STOKES
President

GLEN RANDALL
Registrar

Dated on February 11, 1999.

11/99

ONTARIO REGULATION 69/99 made under the RESPIRATORY THERAPY ACT, 1991

Made: February 11, 1999
Approved: February 24, 1999
Filed: February 25, 1999

Amending O. Reg. 596/94
(General)

Note: Since the end of 1997, Ontario Regulation 596/94 has been amended by Ontario Regulation 68/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Ontario Regulation 596/94 is amended by adding the following Part:

PART VIII REGISTRATION

50. The following are prescribed as classes of certificates of registration:

- 1. General.
- 2. Graduate.
- 3. Limited.

51. A person may apply for a certificate of registration by submitting a completed application in the form provided by the Registrar, together with the application fee.

52. It is a requirement for the issuing of a certificate of registration of any class that the applicant pay the required annual fee for that class of certificate.

53. (1) An applicant for a certificate of registration of any class must satisfy the following requirements:

1. The applicant has not been found guilty of a criminal offence or an offence under the *Controlled Drugs and Substances Act* (Canada) or the *Food and Drugs Act* (Canada).
2. The applicant is not currently the subject of a professional misconduct, incompetence, incapacity or other similar proceeding nor been the subject of a finding of professional misconduct, incompetence, incapacity or other similar finding while registered or licensed in Ontario in another profession or in another jurisdiction in respiratory therapy or another profession.
3. The applicant is able to communicate effectively in English or French in a health care environment.
4. The applicant is a Canadian citizen or a permanent resident of Canada or is authorized under the *Immigration Act* (Canada) to engage in the practice of respiratory therapy.

(2) An applicant shall be deemed not to have satisfied the requirements for a certificate of registration if the applicant made a false or misleading statement or representation in the application.

(3) An applicant who, after having applied but before being issued a certificate, is found guilty under paragraph 1 of subsection (1) or becomes the subject of a proceeding or of a finding described in paragraph 2 of that subsection shall immediately inform the Registrar.

54. (1) In addition to the requirements set out in section 53, an applicant for a general certificate of registration must satisfy the requirements set out in subsections (2), (4) and (5).

(2) Subject to subsection (7), an applicant must,

- (a) have successfully completed a respiratory therapy program offered in Canada that, at the time of completion, was approved or accredited by the Council or by a body approved by the Council;
- (b) have successfully completed a program offered outside Canada for training respiratory therapists that, at the time of completion, was considered by the Council to be equivalent to a program referred to in clause (a); or
- (c) demonstrate through a prior learning assessment approved by the Registration Committee that he or she has knowledge, skills and judgment equivalent to those of a person who has successfully completed a program referred to in clause (a)

(3) The College shall provide the applicant with a copy of the list of programs referred to in clause (2) (a) upon request.

(4) An applicant must have successfully completed the examinations set or approved from time to time by the Council.

(5) An applicant must have met the requirements of subsection (2) within the two years immediately preceding the application for registration unless the applicant was practising respiratory therapy within that two-year period.

(6) Subject to subsection (7), the requirements in subsections (2) and (4) are non-exemptible.

(7) An applicant for a general certificate of registration is exempt from the requirements of subsection (2) if the applicant previously held a general certificate of registration and, prior to being issued the general certificate, held a limited certificate of registration.

55. (1) In addition to the requirements set out in section 53, an applicant for a graduate certificate of registration must meet the following requirements:

1. The applicant must have successfully completed the requirements of subsection 54 (2).
2. The applicant must not yet have completed the examinations referred to in subsection 54 (4).

(2) The College shall provide the applicant with a copy of the list of programs referred to in clause 54 (2) (a) upon request.

(3) An applicant must have met the requirements of subsection 54 (2) within the two years immediately preceding the application for registration unless the applicant was practising respiratory therapy in a jurisdiction outside Ontario within that two-year period.

(4) The requirements referred to in paragraphs 1 and 2 of subsection (1) are non-exemptible.

(5) A graduate certificate is deemed to have been revoked 18 months after its date of issue.

56. (1) A member who, on or before February 25, 1999, held a limited certificate of registration may continue to hold such a certificate, subject to such terms, conditions or limitations as may be specified on the certificate.

(2) A limited certificate of registration shall not be issued to a person other than a person referred to in subsection (1) after February 25, 1999.

(3) A holder of a limited certificate who wishes to obtain registration in another class must satisfy the requirements for the certificate of the other class.

57. (1) It is a condition of a certificate of registration of any class that the holder inform the College of the details of,

- (a) any finding of guilt against the member in relation to a criminal offence or an offence under the *Controlled Drugs and Substances Act* (Canada) or the *Food and Drugs Act* (Canada) made at any time after the holder's certificate is issued;
- (b) any finding of professional misconduct, incompetence, incapacity or other similar finding in Ontario in relation to another profession or in another jurisdiction in relation to respiratory therapy or another profession that occurs or arises at any time after the holder's certificate is issued;
- (c) any proceeding for professional misconduct, incompetence, incapacity or other similar proceeding in Ontario in relation to another health profession or in another jurisdiction in relation to respiratory therapy or another profession that occurs or arises at any time after the holder's certificate is issued.

(2) It is a condition of a certificate of registration of any class that the holder provide the College with satisfactory evidence of professional liability insurance coverage in the amounts and coverage set out in the policies of the College.

58. (1) A member may resign his or her membership by giving written notice to that effect to the Registrar and paying all outstanding fees, penalties or other amounts owed to the College.

(2) A member who resigns shall return his or her certificate of registration to the Registrar.

59. (1) It is a condition of a general certificate of registration and of a limited certificate of registration that a member comply with the requirements of subsections (2), (3), (4) and (5).

(2) A member may become an inactive member if the member,

- (a) holds a general or limited certificate;
- (b) notifies the Registrar in writing of his or her intention to become an inactive member; and
- (c) pays any outstanding fees, including any annual fee owing for the current membership, penalty or other amount owed to the College.

(3) An inactive member shall not,

- (a) provide direct patient care within the scope of practice of the profession;
- (b) act as an administrator, supervisor or educator in the field of health care;
- (c) sell products or services related to respiratory therapy;
- (d) provide consultations for respiratory care and related care, equipment and services; or
- (e) conduct research related to respiratory therapy.

(4) Upon doing any of the things referred to in subsection (3), an inactive member shall be deemed to have resumed active membership and shall promptly pay,

- (a) any outstanding fees or penalties in accordance with clause (5) (b); and
 - (b) a penalty for failure to have given notice under clause (5) (a).
- (5) An inactive member may resume active membership if he or she,
- (a) notifies the Registrar in writing of his or her intention to become an active member; and
 - (b) pays any outstanding fee, including the annual fee for the class of registration, penalty or other amount owed to the College.

60. (1) A holder of a general certificate of registration may use the following titles:

1. Registered Respiratory Therapist.
2. Registered Respiratory Care Practitioner.
3. Thérapeute Respiratoire Autorisé(e).
4. Praticien(ne) des Soins Respiratoires Autorisé(e).

(2) A holder of a general certificate of registration shall use the designation RRCP and may use the designation RRT.

61. (1) A holder of a graduate certificate of registration may use the following titles:

1. Graduate Respiratory Therapist.

2. Graduate Respiratory Care Practitioner.

3. Thérapeute Respiratoire Gradué(e).

4. Praticien(ne) des Soins Respiratoires Gradué(e).

(2) A holder of a graduate certificate of registration shall use the designation GRCP and may use the designation GRT.

62. (1) A holder of a limited certificate of registration may use the following titles:

1. Practical Respiratory Therapist.
2. Practical Respiratory Care Practitioner.
3. Thérapeute Respiratoire Auxiliaire.
4. Praticien(ne) Auxiliaire des Soins Respiratoires.

(2) A holder of a limited certificate of registration shall use the designation PRCP and may use the designation PRT.

2. Ontario Regulation 839/93 is revoked.

COUNCIL OF THE COLLEGE OF
RESPIRATORY THERAPISTS OF ONTARIO:

RALPH STOKES
President

GLEN RANDALL
Registrar

Dated on February 11, 1999.

11/99

ONTARIO REGULATION 70/99 made under the RESPIRATORY THERAPY ACT, 1991

Made: July 14, 1998
Approved: February 14, 1999
Filed: February 25, 1999

Amending O. Reg. 753/93
(Professional Misconduct)

Note: Ontario Regulation 753/93 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. (1) Paragraph 26 of section 1 of Ontario Regulation 753/93 is revoked and the following substituted:

26. Failing to comply with an order of a panel of the Complaints Committee, Discipline Committee, Fitness to Practise Committee or Quality Assurance Committee.

(2) Paragraph 29 of section 1 of the Regulation is amended by striking out "in the course of practising" in the first and second lines and substituting "relevant to the practice of".

(3) Section 1 of the Regulation is amended by adding the following paragraph:

30. In the case of a former member whose certificate of registration is suspended, engaging in the practice of respiratory therapy while the certificate is suspended.

COUNCIL OF THE COLLEGE OF
RESPIRATORY THERAPISTS OF ONTARIO:

RALPH GANTER
President

GLEN RANDALL
Registrar

Dated on July 14, 1998.

11/99

ONTARIO REGULATION 71/99
made under the
HIGHWAY TRAFFIC ACT

Made: February 24, 1999
Filed: February 25, 1999

Amending Reg. 628 of R.R.O. 1990
(Vehicle Permits)

Note: Since the end of 1997, Regulation 628 has been amended by Ontario Regulations 540/98 and 654/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Section 5.1 of Regulation 628 of the Revised Regulations of Ontario, 1990 is amended by adding the following subsections:

(3) Subject to subsection (2), a permit is validated until the expiry date set out on it and, after renewal, a permit is validated until the first, second or third anniversary date of the original expiry date, as set out on the renewed permit.

(4) Subsection (3) does not apply to a permit to which subsection 8.1 (8) applies.

2. Section 18 of the Regulation is amended by adding the following subsections:

(4) Upon renewal, the fee for validation of a permit referred to in Schedule 5 for less than 12 months shall be the fee payable for 12 months and the fee for validation of a permit referred to in Schedule 5 for more than 12 months but less than 24 months shall be the fee payable for 24 months.

(5) Despite subsection (4), if a person demonstrates to the Ministry that it was not possible to operate the vehicle during any period before the application for renewal was made, the Ministry shall refund to the person the difference between the amount paid for renewal of the permit validation and the amount payable under Schedule 5 for the number of months for which the vehicle could be operated, less a \$5 administrative fee.

(6) Subsection (4) does not apply to a person who surrenders plates for a permit referred to in Schedule 5 to the Ministry three or more months prior to the end of a period of validation purchased on renewal; the Ministry shall refund to such person in respect of the remaining months of validation an amount equal to the fee for that number of months under the appropriate permit number in Schedule 5, less a \$5 administrative fee.

(7) Subsections (1) and (3) apply, and subsection (4) does not apply, to,

(a) a permit to which subsection 8.1 (8) applies;

(b) a Dealer and Service permit; and

(c) a permit for which the anniversary date of its expiry date has been changed.

3. This Regulation comes into force on March 1, 1999.

11/99

ONTARIO REGULATION 72/99
made under the
ONTARIO DRUG BENEFIT ACT

Made: February 24, 1999
Filed: February 25, 1999

Amending O. Reg. 201/96
(General)

Note: Since the end of 1997, Ontario Regulation 201/96 has been amended by Ontario Regulations 83/98, 219/98, 221/98, 592/98 and 612/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. The definition of "Formulary" in subsection 1 (1) of Ontario Regulation 201/96 is revoked and the following substituted:

"Formulary" means the Ministry of Health publication titled "Drug Benefit Formulary/Comparative Drug Index (No. 36)" and dated November 20, 1998, including the amendments to the publication dated April 15, 1999.

2. This Regulation comes into force on April 15, 1999.

11/99

ONTARIO REGULATION 73/99
made under the
**DRUG INTERCHANGEABILITY AND
DISPENSING FEE ACT**

Made: February 24, 1999
Filed: February 25, 1999

Amending Reg. 935 of R.R.O. 1990
(General)

Note: Since the end of 1997, Regulation 935 has been amended by Ontario Regulations 220/98, 593/98 and 613/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. The definition of "Formulary" in subsection 1 (1) of Regulation 935 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

"Formulary" means the Ministry of Health publication titled "Drug Benefit Formulary/Comparative Drug Index (No. 36)" and dated November 20, 1998, including the amendments to the publication dated April 15, 1999.

2. This Regulation comes into force on April 15, 1999.

11/99

ONTARIO REGULATION 74/99
made under the
ONTARIO DRUG BENEFIT ACT

Made: February 24, 1999
Filed: February 25, 1999

Amending O. Reg. 201/96
(General)

Note: Since the end of 1997, Ontario Regulation 201/96 has been amended by Ontario Regulations 83/98, 219/98, 221/98, 592/98 and 72/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. (1) Subsection 13 (3) of Ontario Regulation 201/96 is amended by striking out "\$2.83" at the end and substituting "\$3.00".

(2) Subsection 13 (4) of the Regulation is amended by striking out "\$6.11" at the end and substituting "\$6.47".

2. (1) Clause 17 (2) (b) of the Regulation is amended by striking out "\$4.05" before "and" and substituting "\$4.24".

(2) Clause 17 (2) (c) of the Regulation is amended by striking out "\$4.83" at the end and substituting "\$5.05".

3. (1) Paragraph 1 of subsection 20.2 (5) of the Regulation is revoked and the following substituted:

1. Until the eligible person's allowable drug costs for the fiscal period reach the deductible amount, the maximum co-payment that may be charged shall be the amount equal to the full amount otherwise payable by the Minister under section 6 of the Act in respect of the supply of the drug product less,

i. if the drug product is supplied in a pharmacy operated in a hospital approved as a public hospital under the *Public Hospitals Act*, 17 cents,

ii. if the drug product does not require a prescription for sale and is designated under section 10 as one to which clause 6 (2) (b) of the Act applies, a nil amount,

iii. if the drug product is supplied by a physician whose office is within 20 kilometres of an accredited pharmacy, 19 cents,

iv. if the drug product is supplied by a physician whose office is more than 20 kilometres from an accredited pharmacy, 22 cents, and

v. in all other cases, the amount, if any, by which the dispensing fee exceeds \$6.11.

(2) Paragraph 3 of subsection 20.2 (5) of the Regulation is revoked and the following substituted:

3. On or after the day the eligible person's allowable drug costs for the fiscal period reach or exceed the deductible amount, the maximum co-payment that may be charged for the remainder of the fiscal period shall be,

i. if the drug product is supplied in a pharmacy operated in a hospital under the *Public Hospital Act*, \$2.83,

ii. if the drug product does not require a prescription for sale and is designated under section 10 as one to which clause 6 (2) (b) of the Act applies, a nil amount,

iii. if the drug product is supplied by a physician whose office is within 20 kilometres of an accredited pharmacy, \$4.05,

iv. if the drug product is supplied by a physician whose office is more than 20 kilometres from an accredited pharmacy, \$4.83,

v. in all other cases, the lesser of \$6.11 or the amount the operator of the pharmacy that supplied the drug product sets as its dispensing fee under subsection 6 (1) of the *Drug Interchangeability and Dispensing Fee Act*.

4. This Regulation comes into force on March 1, 1999.

11/99

ONTARIO REGULATION 75/99
made under the
CORPORATIONS TAX ACT

Made: February 24, 1999
Filed: February 25, 1999

Amending O. Reg. 322/97
(Ontario Film and Television Tax Credit)

Note: Ontario Regulation 322/97 has previously been amended by Ontario Regulation 649/98.

1. Section 5 of Ontario Regulation 322/97 is revoked and the following substituted:

5. A production is an eligible television series production for the purposes of section 43.5 of the Act if it is an eligible Ontario production for the purposes of that section and satisfies one of the following conditions:

1. The production consists of one or more episodes of a television series, principal photography of each of the episodes commences before November 1, 1997, and the episodes are part of a cycle of at least six episodes of the television series.

2. The production is an episode of a television series and principal photography of the episode commences after October 31, 1997.

2. This Regulation shall be deemed to have come into force on November 1, 1997.

11/99

ONTARIO REGULATION 76/99
made under the
CORPORATIONS TAX ACT

Made: February 24, 1999
Filed: February 25, 1999

Amending Reg. 183 of R.R.O. 1990
(General)

Note: Since the end of 1997, Regulation 183 has been amended by Ontario Regulations 298/98 and 355/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. (1) Paragraph 6 of subsection 701 (1) of Regulation 183 of the Revised Regulations of Ontario, 1990 is revoked.

(2) Section 701 of the Regulation is amended by adding the following subsection:

(4) The amounts prescribed by subsection (1) that relate to a permanent establishment in Canada of a corporation that is liable to the taxes imposed under the Act by virtue of clause 2 (2) (a) or (b) of the Act are prescribed for the purposes of subclause 63 (1) (b) (ii) of the Act in determining the amount of the corporation's paid-up capital employed in Canada for taxation years ending after May 19, 1993.

(3) Subsection 701 (1), as amended by subsection (1), applies in respect of taxation years ending after October 30, 1998.

2. Subsection 703 (2) of the Regulation is revoked and the following substituted:

(2) The following corporations are prescribed as financial institutions for a taxation year for the purposes of clause 58 (2) (g) of the Act:

1. A corporation all or substantially all of whose assets consist of shares or indebtedness of one or more financial institutions that are related to the corporation in the corporation's taxation year.
2. A corporation all or substantially all of whose assets consist of shares or indebtedness of one or more insurance corporations that are related to the corporation if,
 - i. each of the insurance corporations carries on business in Canada at any time in the corporation's taxation year, and
 - ii. the corporation elects in its return of income for the taxation year to be a financial institution for the purposes of Part III of the Act.
3. A corporation, other than a corporation referred to in paragraph 1 or 2, all or substantially all of whose assets consist of shares or indebtedness of one or more financial institutions that are related to the corporation in the taxation year and shares or indebtedness of one or more insurance corporations that are related to the corporation in the taxation year if,
 - i. each of the insurance corporations carries on business in Canada at any time in the corporation's taxation year, and
 - ii. the corporation elects in its return of income for the taxation year to be a financial institution for the purposes of Part III of the Act.
4. Avco Financial Services Canada Limited.
5. Avco Financial Services Realty Limited.
6. Avco Financial Services Quebec Limited.
7. Beneficial Canada Inc.
8. Beneficial Realty Ltd.
9. GE Capital Canada Limited.
10. GE Capital Canada Retailer Financial Services Company.
11. John Deere Credit Inc.
12. Trans Canada Credit Corporation.
13. Norwest Financial Capital Canada, Inc.
14. Norwest Financial Canada, Inc.

15. Household Financial Corporation Limited.

16. Household Finance Corporation of Canada.

17. Household Realty Corporation Limited.

18. Household Commercial Canada Inc.

19. Merchant Retail Services Limited.

(3) Despite subsection (2), a corporation prescribed as a financial institution under subsection (2) as of a date before July 1, 1999 shall not be considered to be a financial institution until its first taxation year ending after June 30, 1999 for the purposes of determining the amount of a deduction under clause 62 (1) (c) of the Act by another corporation that is not related to the financial institution.

(4) For the purposes of paragraphs 2 and 3 of subsection (2), a corporation is deemed to elect in its return of income for a taxation year to be a financial institution for the purposes of Part III of the Act if the corporation calculates its tax under Part III of the Act for the year on the basis that it is a financial institution.

(5) Despite subsection (4), a corporation is not deemed to make the election referred to in that subsection for a taxation year ending before February 25, 1999 if,

- (a) the corporation delivers an amended return for the taxation year before the end of the normal assessment period in respect of the taxation year; and
- (b) the corporation determines the amount of its tax under Part III of the Act in the amended return on the basis that the corporation is not a financial institution for the year for the purposes of that Part.

3. Part IX of the Regulation is amended by adding the following section:

904. (1) A film or television production is an eligible production for the purposes of section 43.10 of the Act for a taxation year if the following conditions are satisfied:

1. The principal photography for the production commences before the end of the taxation year.
2. If the production is a television series having at least two episodes, or is a pilot episode for such a television series, the total expenditures included in the cost of each episode or, if the production is a depreciable property, in the capital cost of each episode, during the 24 months after principal photography for the production commences, exceed,
 - i. \$100,000 if the episode has a running time that is less than 30 minutes, or
 - ii. \$200,000 in any other case.
3. If the production is not the type of production referred to in paragraph 2, the total expenditures included in the cost of the production or, if the production is a depreciable property, in the capital cost of the production, during the 24 months after principal photography for the production commences, exceed \$1 million.
4. The production is not,
 - i. news, current events or public affairs programming, or a programme that includes weather or market reports,
 - ii. a talk show,

- iii. a production in respect of a game, questionnaire or contest,
- iv. a sports event or activity,
- v. a gala presentation or awards show,
- vi. a production that solicits funds,
- vii. reality television,
- viii. pornography,
- ix. advertising,
- x. a production produced primarily for industrial, corporate or institutional purposes, or
- xi. a production for which public financial support would be contrary to public policy.

(2) A corporation is a qualifying corporation in respect of an eligible production for the purposes of section 43.10 of the Act for a taxation year if the corporation would be an "eligible production corporation" throughout the taxation year, within the meaning of the definition of that term in subsection 125.5 (1) of the Federal Act if that definition were read with the following changes:

- 1. The references to "accredited production" and "in Canada" shall be read as "eligible production" and "in Ontario", respectively.
- 2. The reference to "(as defined by regulation)" shall be struck out.
- 3. The reference to "eligible production corporation" in paragraph (b) of the definition shall be read as "qualifying corporation".

(3) A qualifying corporation's qualifying Ontario labour expenditure for a taxation year in respect of an eligible production for the purposes of section 43.10 of the Act is the amount, if any, by which "A" exceeds "B",

where,

"A" is the total of all amounts each of which is the corporation's Ontario labour expenditure for the year or a preceding taxation year, and

"B" is the total of the amounts that would be determined for the taxation year under paragraphs (b), (c) and (d) of the definition of "qualified Canadian labour expenditure" in subsection 125.5 (1) of the Federal Act, if that definition were read with the changes required by subsection (4).

(4) Paragraphs (b), (c) and (d) of the definition of "qualified Canadian labour expenditure" in subsection 125.5 (1) of the Federal Act shall be read with the following changes for the purposes of subsection (3):

- 1. Each reference to "accredited production" shall be read as "eligible production".
- 2. The reference in paragraph (b) to "the total determined under paragraph (a)" shall be read as a reference to the total of all amounts each of which is the corporation's Ontario labour expenditure in respect of the production for the year or a preceding taxation year.
- 3. The amount of assistance referred to in paragraph (b) shall be deemed to be the amount determined in subsection (5).

4. The reference in paragraph (c) to "qualified Canadian labour expenditure" shall be read as "qualifying Ontario labour expenditure".

5. The reference to "principal filming or taping" in paragraph (c) shall be read as "principal photography".

(5) For the purposes of paragraph 3 of subsection (4), the amount of assistance referred to in paragraph (b) of the definition of "qualified Canadian labour expenditure" in subsection 125.5 (1) of the Federal Act shall be deemed to be the amount by which "A" exceeds "B",

where,

"A" is the amount otherwise determined in respect of the production under the definition of "assistance" in subsection 125.5 (1) of the Federal Act, and

"B" is the amount, if any, that is deemed to be,

(a) paid under subsection 125.4 (3) of the Federal Act in respect of the production, or

(b) received under subsection 44.1 (5) of the Act in respect of the production, if that subsection were read without reference to sections 43.4 and 43.6 of the Act.

(6) For the purposes of subsection (3), a qualifying corporation's Ontario labour expenditure for a taxation year in respect of an eligible production is the amount that would be determined in respect of the production for the taxation year under the definition of "Canadian labour expenditure" in subsection 125.5 (1) of the Federal Act, if paragraph 125.5 (2) (b) did not apply and if that definition were read as follows:

- 1. Each reference to "accredited production" shall be read as "eligible production".
- 2. The reference to "eligible production corporation" shall be read as "qualifying corporation".
- 3. The reference to "subject to subsection (2)" shall be read as "subject to subsection (2), other than paragraph (2) (b)".
- 4. Each reference to "services rendered in Canada" shall be read as "services rendered in Ontario".
- 5. The reference in paragraph (a) to "who were resident in Canada" shall be read as "who were Ontario-based individuals".
- 6. The reference in paragraph (b) to "in Canada through a permanent establishment (as defined by regulation)" shall be read as "in Ontario through a permanent establishment".
- 7. The reference in subparagraph (b) (i) to "an individual resident in Canada" shall be read as "an Ontario-based individual".
- 8. The reference in clause (b) (i) (A) to "in Canada" shall be read as "in Ontario".
- 9. The references in clause (b) (i) (B) and subparagraph (b) (ii) to "resident in Canada" and "services in Canada" shall be read as "Ontario-based individuals" and "services in Ontario", respectively.
- 10. The references in subparagraph (b) (iii) to "individual who was resident in Canada" and "personally in Canada" shall be read as "Ontario-based individual" and "personally in Ontario", respectively.
- 11. The reference in clause (b) (iv) (A) to "individual who is resident in Canada" shall be read as "Ontario-based individual".

12. The references in clause (b) (iv) (B) to "resident in Canada" and "services in Canada" shall be read as "Ontario-based individuals" and "services in Ontario", respectively.
13. The reference to "Canadian labour expenditure" in paragraph (c) shall be read as "Ontario labour expenditure".
14. If the qualifying corporation files an agreement referred to in subparagraph (c) (ii) with the Minister of National Revenue for the purposes of section 125.5 of the Federal Act, or has agreed that paragraph (c) of the definition of "labour expenditure" in subsection 125.4 (1) of the Federal Act applies in respect of the production, the agreement required to be filed with the Minister under subparagraph (c) (ii) as it applies for the purposes of this section shall be a copy of the agreement filed under section 125.5 of the Federal Act or a copy of the agreement under section 125.4 of the Federal Act.

(7) For the purposes of this section,

"Federal Act" means the *Income Tax Act* (Canada);

"Ontario-based individual" means, in relation to an eligible production, an individual who was subject to tax under section 2 of the *Income Tax Act* for the year preceding the year in which principal photography for the production commences, by reason that the individual was resident in Ontario on the last day of that year;

"principal photography" includes key animation if the film or television production is an animated production or contains animated segments.

4. The Regulation is amended by adding the following Part:

PART X ROLLOVERS AND ELECTIONS

1001. (1) In this Part,

"Federal Act" means the *Income Tax Act* (Canada);

"Ontario allocation percentage" means,

- (a) in the case of a corporation for a taxation year, the ratio, expressed as a percentage, that the portion of the corporation's taxable income for the taxation year that is not deemed (or would not be deemed if it had income for that year) to have been earned in jurisdictions outside of Ontario for the purposes of section 39 of the Act is to the corporation's taxable income for the year, and
- (b) in the case of a partnership for a fiscal period, the ratio, expressed as a percentage, that the portion of the partnership's income for the fiscal period that would not be deemed to have been earned in a jurisdiction other than Ontario for the purposes of section 39 of the Act is to the partnership's income, determined as if the partnership were a corporation, and had income for the fiscal period.

(2) For the purposes of this Part, a partnership shall be considered to have a permanent establishment in each province in which it would have a permanent establishment under the Act if it were a corporation.

1002. (1) In this section,

"transferor" means a corporation or a partnership one of whose members is a corporation.

(2) For the purposes of clause 29.1 (3) (b) of the Act, the rules in paragraph 2 of subsection 29.1 (2) of the Act do not apply to a disposition of property by a transferor to a taxable Canadian corporation if,

- (a) the transferor and the corporation each have permanent establishments in Ontario in the taxation year or fiscal period to which the election in respect of the disposition relates;
 - (b) section 5.1 of the Act does not apply to the disposition;
 - (c) one of the conditions set out in subsection (3) is satisfied; and
 - (d) the transferor and the corporation agree on an amount in respect of the property in their election for the purposes of the Act that is within the range of amounts prescribed by subsection (4).
- (3) The following are the conditions referred to in clause (2) (c):
1. The Ontario allocation percentage of the corporation for the taxation year to which the election relates in respect of the disposition is not more than 10 percentage points greater or less than the Ontario allocation percentage of the transferor for the taxation year or fiscal period, as the case may be, to which the election in respect of the disposition relates.
 2. The disposition is from a transferor that is a corporation to one or more other corporations as part of a reorganization in the course of which a dividend is received by a corporation to which subsection 55 (2) of the Federal Act would have applied, except that paragraph 55 (3) (b) of that Act applies, and, in the case where the property is a qualifying intellectual property under section 203,
 - i. the corporation acquires the property primarily for the purpose of implementing in Ontario the same innovation or invention for which the property was acquired by the transferor, and
 - ii. if the property was used exclusively in Ontario by the transferor to implement the innovation or invention for which the transferor acquired the property, the property will be used exclusively in Ontario by the corporation for the same purpose.
 3. The property is a qualifying intellectual property under section 203 which is acquired by the corporation primarily for the purpose of implementing in Ontario the same innovation or invention for which the property was acquired by the transferor, and, if the property was used exclusively in Ontario by the transferor to implement the innovation or invention for which the transferor acquired the property, the property will be used exclusively in Ontario by the corporation for the same purpose.
 4. The property is not a qualifying intellectual property under section 203, and the cost amount of the property to the transferor for the purposes of the Act immediately before the disposition is different than the cost amount of the property to the transferor for the purposes of the Federal Act by reason that different amounts were deducted from income or from tax under the Act and under the Federal Act on account of scientific research and experimental development activities carried on in Ontario.
- (4) For the purposes of clause (2) (d), an amount is within the range of amounts prescribed by this subsection if it is not greater than the greater of the following two amounts and not less than the lesser of the following two amounts:
1. The amount that the transferor and corporation agree upon or are deemed to agree upon in respect of the property under the Federal Act.
 2. The amount referred to in paragraph 1 less the cost amount of the property immediately before the disposition for the purposes of the Federal Act, plus the cost amount of the property for the purposes of the Act immediately before the disposition.

1003. (1) For the purposes of clause 31.1 (3) (b) of the Act, the rules in paragraph 2 of subsection 31.1 (2) of the Act do not apply to a disposition of property by a corporation to a Canadian partnership if,

- (a) the corporation has a permanent establishment in Ontario in the taxation year to which the election in respect of the disposition relates and the partnership has a permanent establishment in Ontario in the fiscal period to which the election in respect of the disposition relates;
- (b) section 5.1 of the Act does not apply to the disposition;
- (c) one of the conditions set out in subsection (2) is satisfied; and
- (d) the corporation and the other members of the partnership agree on an amount in respect of the property in their election for the purposes of the Act that is within the range of amounts prescribed by subsection (3).

(2) The following are the conditions referred to in clause (1) (c):

- 1. The Ontario allocation percentage of the partnership for the fiscal period to which the election in respect of the disposition relates is not more than 10 percentage points greater or less than the Ontario allocation percentage of the corporation for the taxation year to which the election in respect of the disposition relates.
- 2. The property is a qualifying intellectual property under section 203 which is acquired by the partnership primarily for the purpose of implementing in Ontario the same innovation or invention for which the property was acquired by the corporation and, if the property was used exclusively in Ontario by the corporation to implement the innovation or invention for which the corporation acquired the property, the property will be used exclusively in Ontario by the partnership for the same purpose.
- 3. The property is not a qualifying intellectual property under section 203, and the cost amount of the property to the corporation for the purposes of the Act immediately before the disposition is different than the cost amount of the property to the corporation for the purposes of the Federal Act by reason that different amounts were deducted from income or from tax under the Act and under the Federal Act on account of scientific research and experimental development activities carried on in Ontario.

(3) For the purposes of clause (1) (d), an amount is within the range of amounts prescribed by this subsection if it is not greater than the greater of the following two amounts and not less than the lesser of the following two amounts:

- 1. The amount the corporation and the other partners agree on or are deemed to agree on in respect of the property under the Federal Act.
- 2. The amount referred to in paragraph 1 less the cost amount of the property immediately before the disposition for the purposes of the Federal Act, plus the cost amount of the property for the purposes of the Act immediately before the disposition.

5. The Regulation is amended by adding the following Part:

**PART XI
ONTARIO BUSINESS—RESEARCH INSTITUTE
TAX CREDIT**

1101. (1) For the purposes of clause 43.9 (5) (d) of the Act, an eligible research institute and a corporation that have entered into an eligible contract are connected if the corporation is controlled directly or indirectly in any manner whatever by the institute and one or more other eligible research institutes or would be controlled directly or indirectly if the institutes were to act in concert.

(2) For the purposes of clause 43.9 (9) (a) of the Act, a payment that is a contract payment within the meaning of subsection 127 (9) of the *Income Tax Act* (Canada) made by a person other than a qualifying corporation is considered to be a payment made by a qualifying corporation to an eligible research institute under the terms of an eligible contract if,

- (a) the contract payment is made to the eligible research institute by the person in consideration for the eligible research institute performing in Ontario scientific research and experimental development for or on behalf of the qualifying corporation; and
- (b) the qualifying corporation, the eligible research institute and the person are all parties to the eligible contract.

(3) For the purposes of subclause 43.9 (9) (c) (ii) of the Act, the following expenditures are prescribed:

- 1. Subject to subsection (4), an expenditure made under the eligible contract after the contract is amended, unless, before the expenditure is made, the Minister gives a favourable ruling under subsection 43.9 (10) of the Act with respect to the contract and the expenditure.
- 2. An expenditure made to an entity that ceases to be an eligible research institute before the expenditure is incurred.
- 3. An expenditure made under the contract,
 - i. if information provided to the Minister or any representation made to the Minister for the purpose of or in connection with obtaining a favourable ruling under subsection 43.9 (10) of the Act in respect of the contract or the expenditure is not correct, and it is reasonable to believe that the Minister would not have given the favourable ruling if the correct information had been provided or if the representation had not been made,
 - ii. if any undertaking given in connection with the application for the ruling is not fulfilled, or
 - iii. if information is not disclosed to the Minister and it is reasonable to believe that, if the information had been disclosed, the Minister would not have given a favourable ruling with respect to the contract or the expenditure.
- 4. An expenditure under an eligible contract that is made to an eligible research institute that is prescribed by subsection (11) and that is not a hospital research institute referred to in clause (12) (a), unless teaching staff, students or research fellows of an eligible research institute referred to in clause (a) of the definition of "eligible research institute" in subsection 43.9 (29) of the Act or a hospital research institute described in clause (12) (a) are significantly involved in carrying out the scientific research and experimental development activities required under the contract.
- 5. An expenditure under an eligible contract with an eligible research institute for work described in paragraph (d) of the definition of "scientific research and experimental development" in subsection 248 (1) of the *Income Tax Act* (Canada) that is clinical research in Phase IV, as described in Application Policy 96-09 dated September 4, 1996, issued by the Tax Incentive Audit Section and Scientific Research Section of Revenue Canada, unless the work is directly in support of work described in paragraph (a), (b) or (c) of that definition that is carried out,
 - i. by the eligible research institute,
 - ii. by a wholly-owned and controlled non-profit subsidiary of the eligible research institute, or
 - iii. by another eligible research institute under a contract referred to in subsection 43.9 (23) of the Act with the eligible research institute.

(4) Subsection 43.9 (12) of the Act applies with necessary modifications to an expenditure referred to in paragraph 1 of subsection (3).

(5) For the purposes of subsection 43.9 (21) of the Act, a corporation's qualified expenditure limit for a taxation year is \$20 million if the corporation is not associated at any time in the year with any other corporation.

(6) If a corporation is associated in a taxation year with another corporation, the corporation's qualified expenditure limit for the purposes of section 43.9 of the Act is determined in accordance with the following rules:

1. If all of the corporations that are associated with each other in the taxation year have filed with the Minister an agreement in a form acceptable to the Minister under which, for the purposes of section 43.9 of the Act, they allocate an amount to one or more of them for the taxation year, and the total of all amounts allocated to one or more of them does not exceed \$20 million, the qualified expenditure limit for the year of each corporation shall be, subject to paragraph 4 and subsections (7) and (8), the amount allocated to it.
2. If the Minister notifies in writing any of the corporations that are associated with each other in a taxation year that an agreement referred to in paragraph 1 is required to be filed and no agreement is filed within 30 days after the notification is sent by the Minister,
 - i. the Minister may, for the purposes of section 43.9 of the Act, allocate an amount to each of the corporations, and the total of all amounts allocated by the Minister to the corporations shall not exceed \$20 million, and
 - ii. except as otherwise provided in paragraph 4 or subsection (7) or (8), the qualified expenditure limit for the year of each of the corporations is the amount allocated by the Minister to it.
3. If no agreement referred to in paragraph 1 is filed by the corporations with the Minister, and the Minister does not make an allocation under paragraph 2, the qualified expenditure limit of each of the corporations for the taxation year shall be deemed to be nil.
4. If a corporation (the "first corporation") has more than one taxation year ending in the same calendar year and it is associated in two or more of those taxation years with another corporation that has a taxation year ending in that calendar year, the qualified expenditure limit of the first corporation for each taxation year that ends in the calendar year, that is a taxation year in which it is associated with the other corporation and that is a taxation year that ends after its first taxation year ending in that calendar year, shall not exceed an amount equal to the lesser of,
 - i. its qualified expenditure limit as otherwise determined under paragraph 1, 2 or 3 for its first taxation year ending in the calendar year, multiplied by the ratio of the number of days in the taxation year to 365, and
 - ii. its qualified expenditure limit as otherwise determined under paragraph 1, 2 or 3 for the particular taxation year ending in the calendar year, multiplied by the ratio of the number of days in the taxation year to 365.

(7) Despite subsections (5) and (6), if a corporation has a taxation year that is less than 51 weeks and paragraph 4 of subsection (6) does not apply, the corporation's qualified expenditure limit for the taxation year for the purposes of section 43.9 of the Act shall be the amount otherwise determined under this section, before the application of the rule in subsection (8) if it applies, multiplied by the ratio of the number of days in the taxation year to 365.

(8) Despite subsections (5) and (6), if a corporation's taxation year commences before May 7, 1997, its qualified expenditure limit for the taxation year for the purposes of section 43.9 of the Act shall not exceed the amount otherwise determined under this section, multiplied by the ratio of the number of days in the year ending after May 6, 1997 to the total days in the taxation year.

(9) For the purposes of clause 43.9 (26) (b) of the Act, an employee of an eligible research institute that has entered into an eligible contract with a corporation is connected to that corporation if,

- (a) the employee and one or more persons each of whom is an employee of the same or another eligible research institute, or is related to the employee or to another employee of the same or another eligible research institute, control the corporation directly or indirectly in any manner whatever, or would control the corporation directly or indirectly if they acted in concert; or
- (b) the employee was an employee of the corporation or of a corporation related to the corporation and there is an arrangement under which the employee will be employed by the corporation or a corporation related to the corporation after the completion of the contract.

(10) For the purposes of the definition of "eligible research institute" in subsection 43.9 (29) of the Act, a university referred to in clause (a) of that definition shall be deemed to include all non-profit organizations that are affiliated or federated colleges or universities of the university.

(11) For the purposes of clause (c) of the definition of "eligible research institute" in subsection 43.9 (29) of the Act, a non-profit organization that meets the conditions in one of the following paragraphs is an eligible research institute:

1. A non-profit organization,
 - i. that is exempt from tax under the Act and the *Income Tax Act* (Canada) by reason of paragraph 149 (1) (j) or (l) of that Act,
 - ii. that is affiliated with an eligible research institute referred to in clause (a) of the definition of that term in subsection 43.9 (29) of the Act and has entered into an exchange of information agreement with the institution under which teaching staff, students and research fellows of the institute may actively participate in and receive educational benefits from the scientific research and experimental development activities carried out by the non-profit organization,
 - iii. that is capable of supporting and conducting scientific research and experimental development at its premises or the premises of the eligible research institute with which it is affiliated, through qualified employees who have sufficient expertise and experience, and who have appropriate facilities and services located at those premises,
 - iv. that is not primarily funded by businesses or industries operating in the private sector, and
 - v. of which no single member who is not exempt from tax under Division H of Part I of the *Income Tax Act* (Canada), if the organization is constituted without share capital, has more than 10 per cent of the votes that may be cast by members, or, if the organization is incorporated with share capital, no single shareholder of the organization who is not exempt from tax under Division H of Part I of the *Income Tax Act* (Canada) holds, directly or indirectly, shares that carry more than 10 per cent of the voting rights attached to voting securities, within the meaning of the *Securities Act*, of the non-profit organization.
2. A non-profit organization,
 - i. that is exempt from tax under the Act and the *Income Tax Act* (Canada) by reason of paragraph 149 (1) (j) of that Act,

- ii. that makes all of its expenditures on account of scientific research and experimental development by way of payments to one or more eligible research institutes, each of which is an eligible research institute referred to in clause (a) or (b) of the definition of "eligible research institute" in subsection 43.9 (29) of the Act or a hospital research institute described in clause (12) (a),
- iii. the board of directors of which may be appointed or elected only by the eligible research institutes referred to in subparagraph ii to which the non-profit organization makes all of its expenditures on account of scientific research and experimental development, and
- iv. all of the shares of which, if the non-profit organization is incorporated with share capital, are held by the eligible research institutes referred to in subparagraph ii.

(12) For the purposes of clause (d) of the definition of "eligible research institute" in subsection 43.9 (29) of the Act, a hospital research institute is an eligible research institute in respect of a qualifying corporation if,

- (a) it is a hospital listed in Group A, D, H or L in the Schedule to Regulation 964 of the Revised Regulations of Ontario, 1990, ("Classification of Hospitals") made under the *Public Hospitals Act* or in Group A, D, H or L in the list of public hospitals maintained under section 32.1 of that Act; or
- (b) it is a corporation,
 - (i) that is exempt from tax under the Act and the *Income Tax Act* (Canada) by reason of paragraph 149 (1) (j) or (l) of that Act,
 - (ii) that is affiliated with a hospital referred to in clause (a) and has entered into an agreement with the hospital under which teaching staff from the hospital and students in the health professions may actively participate in and receive educational benefits from the scientific research and experimental development activities carried out by the corporation,
 - (iii) that is capable of supporting and conducting scientific research and experimental development at its premises or the premises of the hospital with which it is affiliated, through qualified employees who have sufficient expertise and experience, and who have appropriate facilities and services at those premises, and
 - (iv) that is not primarily funded by businesses or industries operating in the private sector.

(13) For the purposes of subsections (11) and (12), the following types of payments made to a non-profit organization or corporation shall not be considered to be funding of the organization or corporation:

1. An unconditional donation or gift.
2. An amount that is an expenditure to the payer that is described in paragraph 37 (1) (a) of the *Income Tax Act* (Canada) or subparagraph 37 (1) (b) (i) of that Act.
3. An amount advanced as a loan if, under all arrangements that reasonably relate to the loan, the lender has the right to receive only payments on account of principal and interest at a commercially reasonable rate.

(14) Despite subsections (11) and (12), a non-profit organization or hospital research institute is not an eligible research institute until it is designated an eligible research institute by the Minister.

(15) A non-profit organization or hospital research institute may apply to the Minister to be designated and shall be designated by the Minister to be an eligible research institute if,

- (a) in the case of a non-profit organization, it is an eligible research institute under subsection (11); or
- (b) in the case of a hospital research institute, it is an eligible research institute under subsection (12).

(16) The Minister may designate a non-profit organization or hospital research institute to be an eligible research institute under subsection (15) effective as of a date that is before or after the day on which the Minister authorizes the designation.

(17) The Minister may revoke the designation of a non-profit organization or hospital research institute under subsection (15) if the organization or institute no longer qualifies as an eligible research institute under subsection (11) or (12).

(18) Despite subsections (11) and (12), a non-profit organization or hospital research institute that has been designated an eligible research institute under subsection (15) shall be deemed to continue to be an eligible research institute for the purposes of section 43.9 of the Act until the Minister revokes its designation.

(19) The Minister may revoke a designation under subsection (17) effective as of a date that is before or after the day on which the Minister authorizes the revocation of the designation except that the effective date may not be before the date on which the non-profit organization or hospital research institute ceased to qualify as an eligible research institute under subsection (11) or (12).

(20) The Minister shall publicize designations under subsection (15), revocations of designations under subsection (17) and the effective date of each designation and revocation by bulletin or by any other means of communication that, in the opinion of the Minister, will bring these matters to the attention of those affected.

6. The Regulation is amended by adding the following Part:

PART XII ONTARIO COMPUTER ANIMATION AND SPECIAL EFFECTS TAX CREDIT

1201. (1) For the purposes of subsection 43.8 (17) of the Act,

"eligible computer animation and special effects activities" means activities undertaken to produce eligible animation or visual effects and includes designing, modelling, rendering, lighting, painting, animating and compositing, but does not include activities that are scientific research and experimental development for the purposes of paragraph 37 (1) (a) of the *Income Tax Act* (Canada) or subparagraph 37 (1) (b) (i) of that Act;

"Ontario labour expenditure" of a qualifying corporation in respect of an eligible production for a taxation year means all salaries or wages,

- (a) that are directly attributable to eligible computer animation and special effects activities carried out by the qualifying corporation for the eligible production,
- (b) that are incurred by the qualifying corporation after June 30, 1997 and in the taxation year, and
- (c) that are paid by the qualifying corporation in the taxation year or within 60 days after the end of the taxation year to individuals,

- (i) who report to a permanent establishment of the qualifying corporation in Ontario at which the eligible computer animation and special effects activities are carried out, and
- (ii) who, by reason of being individuals described in clause 2 (a) of the *Income Tax Act*, were subject to tax under section 2 of that Act for the calendar year last ending before the end of the qualifying corporation's taxation year;

"prescribed cost", incurred by a qualifying corporation in a taxation year in respect of an eligible production, means the total of all costs incurred by the corporation after June 30, 1997 and in the taxation year in respect of the production, where each cost satisfies the following conditions:

1. The cost is incurred by the corporation in carrying on eligible computer animation and special effects activities for the eligible production.
2. The amount of the cost is reasonable in the circumstances.
3. The cost,
 - i. is included in the amount of the corporation's cost or, in the case of a depreciable property, its capital cost of the eligible production that incorporates the results of the eligible computer animation and special effects activities, or
 - ii. is incurred by the corporation in performing eligible computer animation and special effects activities under a contract entered into,
 - A. with the producer of the eligible production, or
 - B. with another qualifying corporation that is carrying on eligible computer animation and special effects activities for the eligible production.

(2) For the purposes of the definition of "eligible computer animation and special effects activities" in subsection (1),

"eligible animation or visual effects" means, in respect of an eligible production, animation or visual effects created primarily with digital technologies, but does not include,

- (a) audio effects,
- (b) in camera effects,
- (c) credit rolls,
- (d) subtitles,
- (e) animation or visual effects all or substantially all of which are created by editing activities, or
- (f) animation or visual effects for use in promotional material for the eligible production.

7. (1) Subject to subsections (2) to (5), this Regulation shall be deemed to have come into force on May 6, 1997.

(2) Subsection 1 (2) shall be deemed to have come into force on May 20, 1993.

(3) Sections 2, 5 and 6 shall be deemed to have come into force on May 7, 1997.

(4) Section 3 shall be deemed to have come into force on November 1, 1997.

(5) Subsections 1 (1) and (3) shall be deemed to have come into force on October 31, 1998.

11/99

ONTARIO REGULATION 77/99 made under the MUNICIPAL ACT

Made: February 25, 1999
Filed: February 26, 1999

Revoking O. Reg. 701/98
(Part XXII.2 of the Act—Capping of Taxes for Certain Property Classes for 1998, 1999 and 2000—10/5/5 per cent cap)

1. Ontario Regulation 701/98 is revoked.

ERNIE EVES
Minister of Finance

Dated on February 25, 1999.

11/99

ONTARIO REGULATION 78/99 made under the EDUCATION ACT

Made: February 25, 1999
Filed: February 26, 1999

Amending O. Reg. 509/98
(Tax Matters—Relief in Unorganized Territory
(Section 257.2.1 of the Act))

Note: Ontario Regulation 509/98 has previously been amended by Ontario Regulation 622/98.

1. Subsection 4 (1) of Ontario Regulation 509/98 is revoked and the following substituted:

(1) A 1998 assessment-related tax increase or decrease shall be phased-in if the property is,

- (a) in the residential/farm property class prescribed under the *Assessment Act*; or
- (b) in the multi-residential property class prescribed under the *Assessment Act* in the Chapleau Locality Education.

2. Paragraph 2 of section 5 of the Regulation is amended by striking out "or, if the property is in the industrial property class, \$120" at the end.

3. (1) The definition of "1998 assessment-related tax increase" in subsection 7 (1) of the Regulation is revoked.

(2) Clause 7 (2) (a) of the Regulation is revoked and the following substituted:

- (a) there is a 1998 assessment-related tax increase, within the meaning of section 3, that exceeds \$30;

(3) Subclause 7 (2) (f) (i) of the Regulation is revoked and the following substituted:

- (i) for the 1998 taxation year, before March 31, 1999, or

(4) Paragraph 1 of subsection 7 (3) of the Regulation is revoked and the following substituted:

1. Subject to paragraph 2, the amount of the tax deferral is the amount of the 1998 assessment-related tax increase, within the meaning of section 3, reduced by the amount of the tax increase that is not yet phased-in.

4. (1) Subsection 8 (1) of the Regulation is revoked and the following substituted:

(1) An eligible charity is entitled to a rebate of taxes for 1998, 1999 and 2000 taxation years on property the charity occupies if,

- (a) the property is in the commercial property class or the industrial property class, prescribed under the Assessment Act; and
- (b) a written application for the rebate, together with sufficient documentation to establish eligibility for the rebate, is given to the secretary of the levying board,

- (i) for the 1998 taxation year, on or before March 31, 1999, or

- (ii) for the 1999 or 2000 taxation year, on or before June 1 of the year.

(2) Subsections 8 (3) and (4) of the Regulation are revoked and the following substituted:

(3) The amount of the rebate shall be determined in accordance with section 2 of Ontario Regulation 47/99.

(4) The levying board must pay the rebate in accordance with the following:

1. The estimated rebate for the 1998 taxation year must be paid on or before April 30, 1999.
2. The estimated rebate for the 1999 and 2000 taxation years must be paid on or before June 30 of the year.
3. Final adjustments must be made, after the taxes paid by the charity can be determined, in respect of the difference between the estimated rebate paid by the levying board and the rebate to which the charity is entitled.

5. Subsection 9 (2) of the Regulation is revoked.

6. The Regulation is amended by adding the following section:

**CAPPING OF TAXES FOR CERTAIN PROPERTY TAXES
FOR 1998, 1999 AND 2000—10/5/5 PER CENT CAP**

10. (1) Divisions A and B of Part XXII.2 of the *Municipal Act* apply as though they formed part of this Regulation with the modifications in this section and such other modifications as are necessary.

(2) Subject to subsections (3) and (4), Divisions A and B of Part XXII.2 of the *Municipal Act* apply with respect to the following classes of real property prescribed under the *Assessment Act*:

1. The commercial property class.
2. The industrial property class.

(3) This section does not apply with respect to property in the commercial property class in the following territories:

1. The South River Township School Area.

2. The Allan Water DSA Locality Education.

3. The Auden DSA Locality Education.

4. The Summer Beaver DSA Locality Education.

(4) This section does not apply with respect to property in the industrial property class in the following territories:

1. The Magnetawan Township School Area.
2. The West Parry Sound Board of Education.
3. The Timiskaming Locality Education.
4. The Central Algoma Locality Education.
5. The North Shore Locality Education.
6. The Upsala DSA Locality Education.
7. The Fort Francis/Rainy River Locality Education with assessment roll numbers beginning with "5903".
8. The Red Lake Locality Education.

(5) Divisions A and B of Part XXII.2 of the *Municipal Act* apply with respect to the multi-residential property class prescribed under the *Assessment Act* in the Lake Superior Locality Education.

(6) The following apply with respect to the application of Divisions A and B of Part XXII.2 of the *Municipal Act*:

1. Sections 447.44 and 447.45 of the *Municipal Act* do not apply.
2. A reference to a municipality, including a reference in a provision of Part XXII.1 of the *Municipal Act* as it applies under Part XXII.2 of the *Municipal Act*, shall be deemed to be a reference to the levying board. However, in paragraph 2 of subsection 447.51 (4) of the *Municipal Act*, the reference to the municipality shall be deemed to be a reference to the territory set out in Table 1 or the Lake Superior Locality Education, as applicable.
3. A reference to 1997 mill rates shall be deemed to include only mill rates for school purposes.
4. Sections 447.52 and 447.54 of the *Municipal Act* do not apply.
5. For the purposes of paragraph 1 of subsection 447.7 (3) and paragraph 1 of subsection 447.10 (2) of the *Municipal Act*, as they apply under section 447.38 of that Act,
 - i. the factors in Table 1 are prescribed for the territories and property classes indicated, and
 - ii. 0.093129 is prescribed as the factor for the multi-residential property class in the Lake Superior Locality Education.
6. Parts I and II of Ontario Regulation 7/99 apply with respect to the territories set out in Table 2 as though those Parts formed part of this Regulation with the following modifications and such other modifications as are necessary,
 - i. section 2 of Ontario Regulation 7/99 does not apply,
 - ii. a reference to a municipality shall be deemed to be a reference to a territory set out in Table 2, and
 - iii. a reference to Table 1 of Ontario Regulation 7/99 shall be deemed to be a reference to Table 2 of this Regulation.

7. The Regulation is amended by adding the following Tables:

TABLE 1
PRESCRIBED FACTORS

Territory	Commercial Property Class	Industrial Property Class
Nipissing D		
Murchison Lyell Sabine Localities	0.020453	0.029026
Upsala DSA Locality Education	0.090349	
Nipissing Combined School Boards	0.027459	0.044277
Timiskiming Board of Education	0.057696	
Parry Sound D		
East Parry Sound Board of Education	0.649964	0.571831
Magnetawan Township School Area	0.486550	
West Parry Sound Board of Education	0.496118	
Manitoulin D		
Manitoulin Locality Education	0.612715	0.496853
Sudbury D		
Asquith Garvey DSA Locality Education	0.149645	0.284654
Chapleau Locality Education	0.153825	0.207990
Espanola Locality Education	0.763200	0.817625
Foley DSA Locality Education	0.324997	
Gogama DSA Locality Education	0.280344	
Missarenda DSA Locality Education	0.032308	0.021249
Sudbury Locality Education	0.198351	0.263958
Timiskaming D		
Kirkland Lake Locality Education	0.191431	0.322490
Timiskaming Locality Education	0.103265	
Cochrane D		
Cochrane Iroquois Falls BR Math Locality	0.256425	0.273973
Hearst Locality Education	0.265488	0.181107
James Bay Lowlands Locality Education	0.524825	
Kap SRF And Dist Locality Education	0.303080	0.050073
Moosonee Dev Area Bd	0.159314	0.258166
Algoma D		
Central Algoma Locality Education	1.034332	
Michipicoten Locality Education	1.212400	0.657588
North Shore Locality Education	0.967128	0.628865
Sault Ste. Marie Locality Education	0.297442	0.289531
Thunder Bay D		
Armstrong DSA Locality Education	0.065712	
Caramat DSA Locality Education	0.153776	
Geraldton Locality Education	0.067076	0.273529
Kashabowie DSA Locality Education	0.034789	

Territory	Commercial Property Class	Industrial Property Class
Kilkenny DSA Locality Education	0.013594	
Lake Superior Locality Education	0.170677	0.132710
Lakehead Locality Education	0.044092	0.074617
Nipigon Red Rock Locality Education	0.015396	
Savant Lake DSA Locality Education	0.094232	
Upsala DSA Locality Education	0.090349	
Rainy River D		
Atikokan Locality Education	0.032914	0.046970
Fort Frances/Rainy River Locality Education (assessment roll numbers beginning with "5902")	0.024234	0.029332
Fort Frances Rainy River Locality Education (assessment roll numbers beginning with "5903")	0.023827	
Mine Centre DSA Locality Education	0.049430	0.024915
Kenora D		
Dryden Locality Education (assessment roll numbers beginning with "6060")	0.048815	0.053853
Dryden Locality Education (assessment roll numbers beginning with "6093")	0.039607	
Dryden Locality Education (assessment roll numbers beginning with "6096")	0.049537	0.042325
Kenora Locality Education	0.046416	0.032721
Red Lake Locality Education	0.079659	
Sturgeon Lake Locality Education	0.582223	

TABLE 2
EDUCATION TAX CUTS

Territory	Industrial property class (amounts in dollars)
Timiskaming D	
Kirkland Lake Locality Education	5,318
Thunder Bay D	
Lake Superior Locality Education	5,335
Lakehead Locality Education	12,817
Rainy River D	
Atikokan Locality Education	1,092

ERNIE EVES
Minister of Finance

Dated on February 25, 1999.

11/99

ONTARIO REGULATION 79/99
made under the
EDUCATION ACT

Made: February 25, 1999
Filed: February 26, 1999

Amending O. Reg. 400/98
(Tax Matters—Tax Rates for School Purposes)

Note: Ontario Regulation 400/98 has previously been amended by Ontario Regulations 408/98, 438/98, 499/98 and 707/98.

1. Table 2 of Ontario Regulation 400/98 is revoked and the following substituted:

Territory	Tax Rate—expressed as a fraction of assessed value		
	Commercial Property Class	Industrial Property Class	Pipeline Property Class
Nipissing D			
Murchison Lyell Sabine Localities	0.003937	0.006648	0.000000
Timiskaming Board of Education	0.015620	0.000000	0.018386
Nipissing Combined School Boards	0.014395	0.026347	0.030798
Parry Sound D			
South River Township School Authority	0.012273	0.000000	0.000000
Magnetawan Township School Authority	0.011631	0.015393	0.000000
West Parry Sound Board of Education	0.008948	0.01656	0.000000
East Parry Sound Board of Education	0.015157	0.024196	0.015458
Manitoulin D			
Manitoulin Locality Education	0.011076	0.010451	0.000000
Sudbury D			
Sudbury Locality Education	0.019065	0.029054	0.024814
Espanola Locality Education	0.014744	0.008746	0.000000
Chapleau Locality Education	0.009968	0.014017	0.000000
Foleyet DSA Locality Education	0.011736	0.000000	0.000000
Gogama DSA Locality Education	0.008466	0.000000	0.000000
Asquith, Garvey DSA Locality Education	0.005257	0.011265	0.000000
Missarenda DSA Locality Education	0.007511	0.003471	0.000000
Timiskaming D			
Kirkland Lake Locality Education	0.025707	0.047797	0.020697
Timiskaming Locality Education	0.028122	0.036440	0.020063

Territory	Tax Rate—expressed as a fraction of assessed value		
	Commercial Property Class	Industrial Property Class	Pipeline Property Class
Cochrane D			
Hearst Locality Education	0.011789	0.009736	0.007567
Kapuskasing SRF and Dist Locality Education	0.017465	0.003966	0.009969
Cochrane-Iroquois Locality Education	0.015712	0.020675	0.010310
Moosonee Dev Area Bd	0.005531	0.009842	0.000000
James Bay Lowlands Education Locality	0.031087	0.000000	0.000000
Algoma D			
Sault Ste. Marie Locality Education	0.025144	0.02758	0.000000
Central Algoma Locality Education	0.017267	0.015304	0.011737
Michipicoten Locality Education	0.020247	0.026656	0.000000
North Shore Locality Education	0.032324	0.020308	0.016003
Thunder Bay D			
Collins DSA Locality Education	0.000000	0.000000	0.000000
Allanwater DSA Locality Education	0.006295	0.000000	0.000000
Geraldton DSA Locality Education	0.012571	0.015097	0.006327
Nipigon Red Rock Locality Education	0.005036	0.002692	0.021993
Lake Superior Locality Education	0.032354	0.032866	0.000000
Lakehead Locality Education	0.019668	0.040276	0.032870
Auden DSA Locality Education	0.006531	0.000000	0.000000
Ferland DSA Locality Education	0.000000	0.000000	0.000000
Armstrong DSA Locality Education	0.007366	0.000000	0.000000
Caramat DSA Locality Education	0.012659	0.000000	0.000000
Kashabowie DSA Locality Education	0.006439	0.000000	0.000000
Kilkenny DSA Locality Education	0.007474	0.000000	0.008572
Savant Lake DSA Locality Education	0.008467	0.000000	0.000000
Upsala DSA Locality Education	0.008257	0.00545	0.003984
Rainy River D			
Fort Frances/Rainy River Education Locality (assessment roll numbers beginning with "5902")	0.013169	0.01653	0.000000

Territory	Commercial Property Class	Industrial Property Class	Pipeline Property Class
Fort Frances/Rainy River Education Locality (assessment roll numbers beginning with "5903")	0.010762	0.009895	0.000000
Mine Centre DSA Locality Education	0.007418	0.003614	0.000000
Atikokan Locality Education	0.022309	0.033698	0.098442
Kenora D			
Slate Falls DSA	0.000000	0.000000	0.000000
Summer Beaver DSA Locality Education	0.010737	0.000000	0.000000
Kenora Locality Education	0.019073	0.016259	0.026538
Dryden Locality Education (assessment roll numbers beginning with "6060")	0.013218	0.016999	0.022020
Dryden Locality Education (assessment roll numbers beginning with "6091")	0.000000	0.000000	0.020106
Dryden Locality Education (assessment roll numbers beginning with "6093")	0.016090	0.000000	0.019561
Red Lake Locality Education	0.012638	0.035416	0.023720
Dryden Locality Education (assessment roll numbers beginning with "6096")	0.013572	0.012853	0.023870
Sturgeon Lake Locality Education	0.006472	0.000000	0.000000

ERNIE EVES
Minister of Finance

Dated on February 25, 1999.

11/99

ONTARIO REGULATION 80/99
made under the
MUNICIPAL ACT

Made: February 25, 1999
Filed: February 26, 1999

Amending O. Reg. 7/99

(Part XXII.2—Capping of Taxes for Certain Property Classes for 1998, 1999 and 2000—10/5/5 per cent cap)

Note: Ontario Regulation 7/99 has not previously been amended.

1. The definition of "Municipal tax change adjustment fraction" in subsection 2 (2) of Ontario Regulation 7/99 is revoked and the following substituted:

"Municipal tax change adjustment fraction" means the fraction in the formula in subsection 11 (2) including the Multi-residential adjustment.

2. Section 3 of the Regulation is revoked and the following substituted:

Restructured municipalities

3. (1) This Part applies with respect to the municipalities set out in Table 2 with the modifications in this section.

(2) The Municipal tax change adjustment fraction in the formula in subsection 2 (2) shall be the fraction set out in Table 2 for the property class and municipality the property is in.

3. Section 6 of the Regulation is revoked.

4. Section 9 of the Regulation is revoked.

5. Subsection 11 (2) of the Regulation is revoked and the following substituted:

(2) The amount referred to in subsection (1) shall be determined in accordance with the following:

$$\text{Amount} = \left(\frac{\text{Actual 1998 municipal rate} - \text{1997 levies}}{\text{1998 rate to raise the 1997 levies}} + \frac{\text{1998 rate to raise the 1997 levies}}{\text{Actual 1998 education rate}} + \text{Multi-residential adjustment} \right) \times \text{1997 - level taxes with phase-in}$$

where,

"Actual 1998 municipal rate" means the number determined under section 12;

"1998 rate to raise the 1997 levies" means the number determined under section 13;

"Actual 1998 education rate" means the number determined under section 14;

"Multi-residential adjustment" means the number determined under section 14.1;

"1997-level taxes with phase-in" means the 1997-level taxes for municipal and school purposes determined under paragraph 2 of subsection 447.47 (1) of the Act as adjusted under paragraph 3 of subsection 447.47 (1) of the Act.

6. The Regulation is amended by adding the following sections:

Multi-residential adjustment

14.1 (1) For the purposes of subsection 11 (2), the Multi-residential adjustment means an amount determined in accordance with the following:

$$\text{Multi-residential adjustment} = \frac{\text{PIL assessment}}{\text{Total assessment}} \times \frac{\text{Change in school PIL's} - (0.5 \times \frac{\text{1997 school PIL's}}{\text{PIL's}})}{\text{PIL assessment}} + \frac{\text{Taxable assessment}}{\text{Total assessment}} \times \frac{\text{Change in school taxes} - \frac{\text{Transition ratio room}}{\text{Taxable assessment}}}{\text{Taxable assessment}}$$

where,

"PIL assessment" means the total assessment, as set out in the assessment roll for 1998 as returned, for property in the multi-residential property class in the municipality, with respect to which subsection 4 (3) of the *Municipal Tax Assistance Act* applies;

"Total assessment" means the total assessment, as set out in the assessment roll for 1998 as returned, for property in the multi-residential property class in the municipality;

"Changes in school PIL's" means the total payments in lieu of taxes for school purposes for 1997 on property that, for 1998, is in the multi-residential property class in the municipality and is property with respect to which subsection 4 (3) of the *Municipal Tax Assistance Act* applies minus the total payments in lieu of taxes for school purposes for 1998 on such property;

"1997 school PIL's" means the total payments in lieu of taxes for school purposes for 1997 on property that, for 1998, is in the multi-residential property class in the municipality and is property with respect to which subsection 4 (3) of the *Municipal Tax Assistance Act* applies;

"Taxable assessment" means the total assessment, as set out in the assessment roll for 1998 as returned, for property in the multi-residential property class in the municipality that is taxable for school purposes;

"Transition ratio room" means the amount determined under section 14.2.

(2) In this section,

"municipality" does not include a lower-tier municipality.

14.2 (1) For the purposes of subsection 14.1 (1), the Transition ratio room shall determined in accordance with this section.

(2) Subject to subsection (3), the Transition ratio room shall be determined in accordance with the following:

$$\text{Transition ratio room} = 0.5 \times \frac{1997 \text{ multi-residential school taxes}}{1997 \text{ multi-residential school taxes}}$$

where,

"1997 multi-residential school taxes" means the total taxes for school purposes for 1997 on property that, for 1998, is in the multi-residential property class in the municipality.

(3) The transition ratio room shall be determined in accordance with subsection (4) if both of the following conditions are satisfied:

1. The total taxes for school purposes for 1998 on property in the residential/farm property class in the municipality is greater than one-half of the total taxes for school purposes for 1997 on such property.
2. What the total taxes for school purposes for 1998 on property in the multi-residential property class in the municipality would be if Part XXII.2 of the Act did not apply is less than one-half of the total taxes for school purposes for 1997 on such property.

(4) The following apply if both of the conditions in subsection (3) are satisfied:

1. The amount by which the total taxes for school purposes for 1998 on property in the residential/farm property class in the

municipality exceeds one-half of the total taxes for school purposes for 1997 on such property shall be determined.

2. The amount by which one-half of the total taxes for school purposes for 1997 on property that, for 1998, is in the multi-residential property class in the municipality exceeds what the total taxes for school purposes for 1998 on such property would be if Part XXII.2 of the Act did not apply shall be determined.

3. The Transition ratio room shall be determined under subsection (5) or (6) depending on whether the amount under paragraph 1 is greater than or less than the amount under paragraph 2. If those amounts are equal to each other the Transition ratio room shall be determined in accordance with subsection (2).

(5) If the amount under paragraph 1 of subsection (4) is greater than the amount under paragraph 2 of subsection (4), the Transition ratio room shall be determined in accordance with the following:

$$\text{Transition ratio room} = \frac{1997 \text{ multi-residential school taxes} - 1998 \text{ multi-residential school taxes}}{1997 \text{ multi-residential school taxes}}$$

where,

"1997 multi-residential school taxes" means the total taxes for school purposes for 1997 on property that, for 1998, is in the multi-residential property class in the municipality;

"1998 multi-residential school taxes" means what the total taxes for school purposes for 1998 on property in the multi-residential property class in the municipality would be if Part XXII.2 of the Act did not apply.

(6) If the amount under paragraph 1 of subsection (4) is less than the amount under paragraph 2 of subsection (4), the Transition ratio room shall be determined in accordance with the following:

$$\text{Transition ratio room} = (0.5 \times \frac{1997 \text{ residential school taxes}}{1997 \text{ residential school taxes}}) - \frac{1997 \text{ residential/farm school taxes}}{1997 \text{ residential/farm school taxes}} - \frac{1998 \text{ residential/farm school taxes}}{1998 \text{ residential/farm school taxes}}$$

where,

"1997 residential school taxes" means the total taxes for school purposes for 1997 on property that, for 1998, is in the multi-residential property class and the residential/farm property class in the municipality;

"1997 residential/farm school taxes" means the total taxes for school purposes for 1997 on property that, for 1998, is in the residential/farm property class in the municipality;

"1998 residential/farm school taxes" means the total taxes for school purposes for 1998 on property in the residential/farm property class in the municipality.

(7) In this section,

"municipality" does not include a lower-tier municipality.

7. Section 16 of the Regulation is revoked and the following substituted:

Restructured municipalities

16. (1) This Part applies with respect to the municipalities set out in Table 2 with the modifications in this section.

(2) The amount referred to in subsection 11 (1) shall be determined in accordance with the following and not in accordance with subsection 11 (2):

$$\text{Amount} = \frac{\text{Municipal tax adjustment}}{\text{1997 - level taxes with phase-in}} \times$$

where,

"Municipal tax adjustment" means the fraction set out in Table 2 for the property class and municipality the property is in;

"1997-level taxes with phase-in" means the 1997-level taxes for municipal and school purposes determined under paragraph 2 of subsection 447.47 (1) of the Act as adjusted under paragraph 3 of subsection 447.47 (1) of the Act.

8. Section 18 of the Regulation is revoked and the following substituted:

18. (1) Sections 11 to 16 apply as though they formed part of this Part with the modifications in this section and such other modifications as are necessary.

(2) The variable called "1997-level taxes with phase-in" in the formula in subsections 11 (2) and 16 (2), as those subsections are made applicable under subsection (1), shall be calculated as though Division B of Part XXII.2 of the Act applied except that no adjustment shall be made under paragraph 3 of subsection 447.47 (1) of the Act in respect of a 1998 tax decrease phase-in.

9. The Regulation is amended by adding the following Part:

PART VI MISCELLANEOUS

DEADLINE FOR MAKING DIVISION B OF PART XXII.2 OF THE ACT APPLY

19. February 28, 1999 is prescribed as the later deadline for the purposes of subparagraph i of paragraph 3 of subsection 447.44 (5) of the Act.

PROPERTY EXEMPT FROM PART

20. (1) The following property is exempt from Part XXII.2 of the Act:

1. A bridge or tunnel that crosses a river forming the boundary between Ontario and the United States and the land used for the purposes of the bridge or tunnel.

(2) This section applies with respect to the 1998, 1999 and 2000 taxation years.

PRESCRIBED FACTORS

21. For the purposes of paragraph 1 of subsection 447.7 (3) of the Act and paragraph 1 of subsection 447.10 (2) of the Act, as they apply under section 447.38 of the Act, the factors in Table 4 are prescribed for the municipalities and property classes indicated.

VARIATION OF SECTION 447.30 OF THE ACT, AS IT APPLIES UNDER SECTION 447.54 OF THE ACT, WITH RESPECT TO 1999 (INTERIM LEVY, LOCAL MUNICIPALITY)

22. (1) The application of section 447.30 of the Act, as it applies under section 447.54 of the Act, is varied, with respect to 1999, in accordance with the following:

1. A by-law under paragraph 1 of subsection 447.30 (1) of the Act shall provide for taxes to be limited in accordance with the following,

- i. if the taxes levied under paragraph 1 of subsection 447.30 (1) of the Act would otherwise exceed 50 per cent of the final 1998 taxes, the taxes levied under paragraph 1 of subsection 447.30 (1) of the Act shall be reduced to 50 per cent of the final 1998 taxes,

- ii. if the 1998 tax rates were levied in the previous year for only part of the year because assessment was added to the collector's roll during the year, the final 1998 taxes shall be deemed, for the purposes of subparagraph i, to be equal to what the final 1998 taxes would have been if the 1998 tax rates had been levied for the entire year,

- iii. subparagraph i does not apply with respect to a parcel if no taxes were levied on the parcel for 1998.

2. Under subsection 370 (7.1) of the Act, as that subsection applies under section 447.54 of the Act, the council of a municipality shall not adjust taxes so that they exceed what they are limited to under paragraph 1.

(2) In this section,

"final 1998 taxes" means the 1998 taxes as they may be affected by any changes with respect to which section 368.0.3 of the Act applies.

VARIATION OF SECTION 447.20 OF THE ACT, AS IT APPLIES UNDER SECTION 447.52 OF THE ACT, WITH RESPECT TO 1998 (DISTRIBUTION OF TAXES)

23. The application of section 447.20 of the Act, as it applies under section 447.52 of the Act, is varied, with respect to 1998, in accordance with the following:

1. Paragraph 2 of subsection 447.20 (1) of the Act does not apply under section 447.52 of the Act.

2. The part of the taxes that are for school purposes are the part of the 1997-level taxes for municipal and school purposes, determined under paragraph 2 of subsection 447.47 (1) of the Act, that are derived from mill rates for school purposes, as proportionally adjusted under paragraph 3 of subsection 447.47 (1) of the Act to phase-in 1998 tax changes and adjusted under paragraph 4 of subsection 447.47 (1) of the Act in respect of reductions in taxes for school purposes.

3. For the purposes of subsection 447.20 (2) of the Act, the council of an upper-tier municipality shall, in determining whether a lower-tier municipality has a surplus or shortfall, take into account that the amounts prescribed in Table 5, in the respect of the classes indicated in the Table, will be repaid by school boards.

UNORGANIZED TERRITORY ADDED TO A MUNICIPALITY IN 1998

24. (1) This section applies, for 1998, with respect to property that, on December 31, 1997, was in territory without municipal organization but that, in 1998, was part of a municipality set out in Table 6.

(2) For the purposes of subsection 447.47 (1) and 447.59 (1) of the Act, the 1997 commercial mill rate for a property in one of the commercial classes shall be determined in accordance with the following:

$$1997 \text{ commercial mill rate} = \frac{1997 \text{ commercial mill rate (school)}}{1} + \frac{1}{3} \times \text{Municipal proxy}$$

where,

"1997 commercial mill rate (school)" means the commercial mill rate for school purposes levied on the property for 1997;

"Municipal proxy" means the amount determined under subsection (3).

(3) For the purposes of subsection (2), the Municipal proxy for a property shall be determined in accordance with the following:

$$\text{Municipal proxy} = \frac{1997 \text{ municipal tax rate}}{1997 \text{ municipal tax rate}} \times \frac{1997 \text{ municipal tax rate}}{1998 \text{ assessment property}}$$

where,

"1997 municipal tax rate" means the total municipal taxes for 1997 on property that, for 1998, is in one of the commercial classes and that was, in 1997, in a predecessor municipality divided by the weighted assessment of that property;

"1997 assessment (property)" means,

- (a) the assessment, as set out in the assessment roll for 1997 as most recently revised, for the property, or
- (b) if there was no such assessment for 1997, the assessment, as set out in the assessment roll for 1998 as returned, for the property multiplied by the factor for the municipality and property class the property is in.

"1998 assessment (property)" means the assessment, as set out in the assessment roll for 1998 as returned, for the property.

(4) Subsections (2) and (3) also apply, with necessary modifications, with respect to property in the industrial classes.

(5) For the purposes of subsection 447.47 (1) and 447.59 (1) of the Act, the 1997 residential mill rate for a property in one of the commercial classes or industrial classes is 85 percent of the 1997 commercial mill rate for the property.

(6) For the purposes of subsection 447.47 (1) and 447.59 (1) of the Act, the 1997 residential mill rate for a property in the multi-residential property class shall be determined in accordance with the following:

$$\text{1997 residential mill rate} = \frac{1997 \text{ residential mill rate (school)}}{1997 \text{ residential mill rate (school)}} + 1/3 \times \text{Municipal proxy}$$

where,

"1997 residential mill rate (school)" means the residential mill rate for school purposes levied on the property for 1997;

"Municipal proxy" means the amount determined under subsection (7).

(7) For the purposes of subsection (6), the Municipal proxy for a property shall be determined in accordance with the following:

$$\text{Municipal proxy} = \frac{1997 \text{ municipal tax rate}}{1997 \text{ municipal tax rate}} \times \frac{1997 \text{ assessment property}}{1998 \text{ assessment property}}$$

where,

"1997 municipal tax rate" means the total municipal taxes for 1997 on property that, for 1998, is in the multi-residential property class and that was, in 1997, in a predecessor municipality divided by the weighted assessment of that property;

"1997 assessment (property)" means,

- (a) the assessment, as set out in the assessment roll for 1997 as most recently revised, for the property, or

- (b) if there was no such assessment for 1997, the assessment, as set out in the assessment roll for 1998 as returned, for the property multiplied by the factor for the municipality and property class the property is in.

"1998 assessment (property)" means the assessment, as set out in the assessment roll for 1998 as returned, for the property.

(8) For the purposes of this section,

"predecessor municipality", in relation to a property in a municipality, means a municipality all or part of which, in 1998, forms part, for municipal purposes, of the municipality in which the property is located in 1998.

"weighted assessment" means weighted assessment within the meaning of subsection 13 (3).

ADJUSTMENTS TO REDUCE SURPLUSES OR DEFICIENCIES ARISING FROM THE APPLICATION OF DIVISION B OF PART XXII.2 OF THE ACT

25. (1) Adjustments shall be made under this section if the application of Division B of Part XXII.2 of the Act would result in a surplus or deficiency of taxes on a property class in a municipality other than a lower-tier municipality.

(2) The following apply for the purposes of this section:

- 1. A surplus or deficiency of taxes on the multi-residential property class is the amount by which the taxes under Division B of Part XXII.2 of the Act exceed or are less than the taxes that would have been imposed but for the application of Part XXII.2 of the Act.
- 2. A surplus or deficiency of taxes on the commercial and industrial classes is the amount by which the taxes under Division B of Part XXII.2 of the Act exceed or are less than the taxes that would have been imposed but for the application of Part XXII.2 of the Act if the tax rates for school purposes for those classes were reduced by 2 per cent.

(3) The percentage determined under paragraph 2 of subsection 447.51 (4) of the Act for 1998 tax decrease phase-ins shall be increased or decreased so that the surplus or deficiency is eliminated.

(4) For the purposes of this section, the commercial classes shall be deemed to be a single property class and the industrial classes shall be deemed to be a single property class.

10. Table 1 of the Regulation is revoked and the following substituted:

TABLE 1
EDUCATION TAX CUTS

Municipality	Commercial classes (amounts in dollars)	Industrial classes (amounts in dollars)
Township of Atikokan	6,450	13,735
City of Belleville		184,910
County of Brant		80,578
City of Brantford		205,408
City of Brockville		219,685
Township of Casey		33
Township of Casimir, Jennings, and Appleby		25,407

Municipality	Commercial classes (amounts in dollars)	Industrial classes (amounts in dollars)
Town of Cobalt		53
City of Cornwall		155,974
Township of Dorian	5,508	
Regional Municipality of Durham		1,046,863
Township of Ear Falls		6,025
County of Elgin		108,184
City of Elliot Lake		27,433
County of Essex		266,649
Township of Field		131
Town of Fort Frances		45,369
Separated Town of Gananoque		19,428
City of Guelph		376,201
Region of Haldimand-Norfolk		225,766
Region of Halton	190,896	
Region of Hamilton-Wentworth	122,289	2,486,180
Township of Harley		114
Town of Iroquois Falls		23,246
Township of James	437	
Town of Kapuskasing		44,282
Town of Kenora		31,045
County of Lambton		375,991
County of Lanark		59,757
Town of Latchford	25	
County of Lennox and Addington		87,476
City of London		633,933
Town of Longlac		18,562
Township of Manitouwadge		2,058
Town of Marathon		73,937
Township of Matachewan		4

Municipality	Commercial classes (amounts in dollars)	Industrial classes (amounts in dollars)
Town of New Liskeard	7,167	8,045
Region of Niagara		1,417,759
City of North Bay		57,779
County of Northumberland		219,127
City of Orillia		97,911
Region of Ottawa-Carleton		215,035
City of Owen Sound		117,939
County of Oxford		252,118
City of Pembroke		30,258
City of Peterborough		150,622
Separated Town of Prescott		19,223
Town of Rainy River		16
Township of Red Rock		76,343
County of Renfrew		182,065
Township of Schreiber	2,908	
Township of Shuniah	2,046	4,745
County of Simcoe		300,287
Separated Town of Smiths Falls		37,700
Town of Smooth Rock Falls		36,717
City of St. Thomas		53,565
City of Stratford		81,249
Town of Sturgeon Falls		37,356
Region of Sudbury		5,041
Township of Terrace Bay		13,011
City of Thunder Bay		295,112
City of Timmins		12,041
Region of Waterloo		998,247
Township of White River		168
City of Windsor		1,035,222

11. Table 2 of the Regulation is revoked and the following substituted:

TABLE 2

PREScribed MUNICIPAL TAX CHANGE ADJUSTMENTS
FOR CERTAIN RESTRUCTURED MUNICIPALITIES

Municipality	Fraction for property class						
	Multi-residential property class	Commercial property class	Industrial property class	Office building property class	Shopping centre property class	Parking lots and vacant land property class	Large industrial property class
Belleville, C—Belleville, C	-.036546	.022744	.023380				
Belleville, C—Thurlow, Tp	.035155	.163073	.169224				
Chatham-Kent, M	-.000078	0.0	0.0	0.0	0.0	0.0	0.0

Municipality	Fraction for property class						
	Multi-residential property class	Commercial property class	Industrial property class	Office building property class	Shopping centre property class	Parking lots and vacant land property class	Large industrial property class
Kingston, C	-.055519	.029785	.027805				
County of Prince Edward	.108291	.064164	.051877				
Quinte West, C	-.034050	.058508	.059981				.059981
Essex, Co							
Amherstburg, T	-.078124	-.010232	-.019507		-.012902	-.010146	-.031103
Lakeshore, Tp	.039377	.021291	.021118		.021291	.021290	.021185
Frontenac Board of Management							
South Frontenac, Tp	-.700021	.0010165	-.139402				
Leeds and Grenville, Co							
North Grenville, Tp	.031559	.031233	.031988				
Lennox and Addington, Co							
Loyalist, Tp	.047626	.030994	.032995	.030997	.031013	.031013	.032985
Stonemills, Tp	.150336	.070261	.075058			.070312	.082659
Prescott and Russell, C							
Champlain, Tp	-.020178	.003937	.006622				
Stormont, Dundas and Glengarry, Co							
South Dundas, Tp	.155787	.070796	.075546				.075559
Kenora, D							
Red Lake, Tp—Red Lake, Tp	-.3978	-.0773	-.0057				
Red Lake, Tp—Golden, Tp	-.2461	-.0990	-.0780				
Red Lake, Tp—Unorganized Territory	-.3106	-.08980	-.0472				
Sioux Lookout, T	.148400	.101484	.095081				
Manitoulin, D							
Burpee and Mills, Tp		.092824					
Central Manitoulin, Tp—Sandfield, Tp	0.0	.043225	.137642				
Central Manitoulin, Tp—Carnarvon, Tp	.064197	-.012707	.020002				
Central Manitoulin, Tp—Unorganized Territory	.064197	-.07261	.027382				
Nipissing, D							
South Algonquin, Tp—Airy, Tp	0.0	.12304	.04107				
South Algonquin, Tp—Unorganized Territory	0.0	.12304	.04107				
Temagami, M	-.137476	-.019244	-.058684				
Parry Sound, D							
Magnetawan, Tp—Magnetawan, Tp	0.0	.132671	.129485				
Magnetawan, Tp—Unorganized Territory	0.0	.132671	.129485				
McMurrich-Monteith Tp		.044923	.092257				
Seguin, Tp	.261351	.185129					.192225

Municipality	Fraction for property class						
	Multi-residential property class	Commercial property class	Industrial property class	Office building property class	Shopping centre property class	Parking lots and vacant land property class	Large industrial property class
Sudbury, D							
Nairn and Hyman, Tp		.222087	.100516				
Sables—Spanish Rivers, Tp—Massey, Tp	-.025498	-.050532	0.0				
Sables—Spanish Rivers, Tp—Webbwood, Tp	-.036826	-.019200	0.0				
Sables—Spanish Rivers, Tp—The Spanish River, Tp	-.017037	-.009810	-.012527				
Sables—Spanish Rivers, Tp—Unorganized Territory	-.036826	-.032048	-.012527				

12. Table 3 of the Regulation is revoked and the following substituted:

TABLE 3

ADJUSTMENT TO GENERAL LEVIES UNDER PART IV

Municipality	Amount (in dollars)
REGIONAL MUNICIPALITIES	
Regional Municipality of Durham	89,464,000
City of Oshawa	-1,370,000
Town of Ajax	2,546,000
Town of Clarington	2,980,000
Town of Pickering	5,552,000
Town of Whitby	2,429,000
Township of Brock	473,000
Township of Scugog	886,000
Township of Uxbridge	787,000
Regional Municipality of Haldimand-Norfolk	15,647,000
City of Nanticoke	-677,000
Town of Dunnville	303,000
Town of Haldimand	257,000
Town of Simcoe	-362,000
Township of Delhi	322,000
Township of Norfolk	156,000
Regional Municipality of Halton	88,610,000
City of Burlington	1,680,000
Town of Halton Hills	119,000
Town of Milton	-920,000
Town of Oakville	-879,000
Regional Municipality of Hamilton-Wentworth	95,406,000
City of Hamilton	-2,100,000
City of Stoney Creek	-342,000
Town of Ancaster	1,499,000
Town of Dundas	552,000
Town of Flamborough	421,000
Township of Glanbrook	-29,000

Municipality	Amount (in dollars)
Regional Municipality of Niagara	74,148,000
City of Niagara Falls	-450,000
City of Port Colborne	140,000
City of St Catharines	-109,000
City of Welland	428,000
City of Thorold	-360,000
Town of Fort Erie	427,000
Town of Grimsby	-69,000
Town of Lincoln	-362,000
Town of Niagara-on-the-Lake	-705,000
Town of Pelham	745,000
Township of Wainfleet	280,000
Township of West Lincoln	36,000
Regional Municipality of Ottawa-Carleton	206,977,000
City of Ottawa	-11,565,000
City of Vanier	591,000
City of Kanata	87,000
City of Nepean	6,183,000
City of Gloucester	3,892,000
Village of Rockcliffe Park	289,000
Township of Cumberland	1,948,000
Township of Goulbourn	3,101,000
Township of Osgoode	2,240,000
Township of Rideau	2,004,000
Township of West Carleton	2,387,000
Regional Municipality of Sudbury	25,006,000
City of Sudbury	1,013,000
Town of Capreol	104,000
Town of Nickel Centre	-239,000
Town of Onaping Falls	-432,000
Town of Rayside-Balfour	4,000
Town of Valley East	284,000
Town of Walden	-734,000
Regional Municipality of Waterloo	70,532,000
City of Cambridge	-1,066,000

Municipality	Amount (in dollars)
City of Kitchener	5,247,000
City of Waterloo	2,192,000
Township of North Dumfries	-220,000
Township of Wellesley	-30,000
Township of Wilmot	122,000
Township of Woolwich	-258,000
COUNTIES (Including District of Muskoka)	
County of Brant	4,590,000
Town of Paris	-181,000
Township of Brantford	-65,000
Township of Burford	96,000
Township of South Dumfries	83,000
Township of Oakland	-2,000
Township of Onondaga	70,000
County of Bruce	11,849,000
Town of Chesley	-24,000
Town of Kincardine	145,000
Town of Port Elgin	176,000
Town of Southampton	169,000
Town of Walkerton	-75,000
Town of Wiarton	8,000
Village of Hepworth	-7,000
Village of Lion's Head	-8,000
Village of Lucknow	-33,000
Village of Paisley	-37,000
Village of Tara	-12,000
Township of Albemarle	27,000
Township of Amabel	323,000
Township of Arran	-8,000
Township of Brant	-5,000
Township of Eastnor	-37,000
Township of Elderslie	-26,000
Township of Greenock	-17,000
Township of Kincardine	-29,000
Township of Kinloss	-30,000
Township of Lindsay	-101,000
Township of St. Edmunds	-114,000
Township of Saugeen	-57,000
Township of Huron	-19,000
Township of Bruce	-93,000
Township of Mildmay-Carrick	-26,000
Township of Teeswater-Culross	-89,000
County of Dufferin	7,483,000
Town of Orangeville	451,000
Town of Shelburne	119,000
Township of Amaranth	189,000
Township of East Garafraxa	70,000
Township of Melancthon	78,000
Township of Mono	380,000

Municipality	Amount (in dollars)
Township of Mulmur	176,000
Township of East Luther Grand Valley	81,000
County of Elgin	3,917,000
Town of Aylmer	38,000
Township of Southwold	-290,000
Municipality of Bayham	-49,000
Municipality of Central Elgin	420,000
Municipality of Dutton/Dunwich	39,000
Township of Malahide	-98,000
Municipality of West Elgin	-60,000
County of Essex	18,663,000
Town of Essex	475,000
Town of Harrow	165,000
Town of Kingsville	531,000
Town of Leamington	1,168,000
Town of Tecumseh	1,762,000
Town of LaSalle	2,583,000
Town of Amherstburg	2,065,000
Village of St. Clair Beach	717,000
Township of Colchester North	306,000
Township of Colchester South	602,000
Township of Gosfield North	354,000
Township of Gosfield South	833,000
Township of Mersea	823,000
Township of Rochester	534,000
Township of Sandwich South	74,000
Township of Tilbury North	421,000
Township of Tilbury West	103,000
Township of Lakeshore	1,768,000
County of Grey	15,102,000
Town of Durham	23,000
Town of Hanover	26,000
Town of Meaford	147,000
Town of The Blue Mountains	-377,000
Village of Chatsworth	12,000
Village of Dundalk	52,000
Village of Markdale	-2,000
Village of Neustadt	-18,000
Township of Bentinck	-142,000
Township of Derby	65,000
Township of Egremont	-59,000
Township of Euphrasia	56,000
Township of Glenelg	8,000
Township of Holland	65,000
Township of Normanby	37,000
Township of Osprey	-68,000
Township of Proton	46,000
Township of St. Vincent	40,000
Township of Sarawak	17,000

Municipality	Amount (in dollars)
Township of Sullivan	6,000
Township of Sydenham	50,000
Township of Artemesia	18,000
Township of Keppel	-1,000
County of Haliburton	2,599,000
Township of Anson Hindon and Minden	-104,000
Township of Cardiff	-33,000
Township of Dysart et al	73,000
Township of Glamorgan	53,000
Township of Lutterworth	147,000
Township of Monmouth	-4,000
Township of Sherborne McClintock et al	4,000
Township of Snowdon	-50,000
Township of Stanhope	-93,000
Township of Bicroft	5,000
County of Hastings	8,585,000
Town of Deseronto	-41,000
Town of Bancroft	-108,000
Village of Marmora	5,000
Township of Bangor, Wicklow and McClure	54,000
Township of Carlow	-6,000
Township of Dungannon	-51,000
Township of Faraday	6,000
Township of Herschel	-2,000
Township of Limerick	-1,000
Township of Madoc	7,000
Township of Mayo	-4,000
Township of Monteagle	-19,000
Township of Tudor and Cashel	31,000
Township of Tyendinaga	-45,000
Township of Wollaston	22,000
Municipality of Centre Hastings	-25,000
Township of Marmora and Lake	217,000
Township of Stirling-Rawdon	-45,000
Municipality of Tweed	4,000
County of Huron	10,666,000
Town of Clinton	1,000
Town of Exeter	-57,000
Town of Goderich	-197,000
Town of Seaforth	-40,000
Town of Wingham	3,000
Village of Bayfield	71,000
Village of Blyth	-7,000
Village of Brussels	20,000
Village of Hensall	-41,000
Village of Zurich	9,000
Township of Ashfield	241,000
Township of Colborne	72,000
Township of Goderich	-14,000

Municipality	Amount (in dollars)
Township of Grey	-49,000
Township of Hay	108,000
Township of Howick	33,000
Township of Hullett	-35,000
Township of McKillop	-76,000
Township of Morris	16,000
Township of Stanley	67,000
Township of Stephen	-16,000
Township of Tuckersmith	-16,000
Township of Turnberry	4,000
Township of Usborne	-81,000
Township of East Wawanosh	-24,000
Township of West Wawanosh	9,000
County of Lambton	18,495,000
City of Sarnia	2,794,000
Town of Forest	62,000
Town of Petrolia	155,000
Town of Bosanquet	638,000
Village of Alvinston	9,000
Village of Arkona	0
Village of Grand Bend	153,000
Village of Oil Springs	9,000
Village of Point Edward	37,000
Village of Thedford	31,000
Village of Wyoming	133,000
Township of Brooke	-144,000
Township of Enniskillen	-23,000
Township of Moore	-130,000
Township of Plympton	170,000
Township of Sombra	211,000
Township of Dawn-Euphemia	-247,000
Township of Warwick	-37,000
County of Lanark	8,373,000
Town of Carleton Place	-84,000
Town of Perth	-256,000
Town of Mississippi Mills	-7,000
Township of Beckwith	149,000
Township of Montague	18,000
Township of Lanark Highlands	1,000
Township of Drummond-North Elmsley	96,000
Township of Bathurst, Burgess, Sherbrooke	81,000
County of Lennox and Addington	6,272,000
Town of Greater Napanee	87,000
Township of Addington Highlands	-26,000
Township of Loyalist	36,000
Township of Stone Mills	-96,000
County of Middlesex	11,127,000
Town of Parkhill	60,000
Town of Strathroy	320,000

Municipality	Amount (in dollars)
Village of Ailsa Craig	58,000
Village of Glencoe	18,000
Village of Lucan	87,000
Village of Newbury	4,000
Village of Wardsville	1,000
Township of Adelaide	-33,000
Township of Biddulph	-10,000
Township of Caradoc	234,000
Township of North Dorchester	644,000
Township of Ekfrid	33,000
Township of McGillivray	-17,000
Township of Metcalfe	-14,000
Township of Mosa	-7,000
Township of West Nissouri	82,000
Township of East Williams	-1,000
Township of West Williams	1,000
Township of Middlesex Centre	557,000
District of Muskoka	16,106,000
Town of Bracebridge	-267,000
Town of Gravenhurst	189,000
Town of Huntsville	-362,000
Township of Georgian Bay	171,000
Township of Lake of Bays	155,000
Township of Muskoka Lakes	113,000
County of Northumberland	12,282,000
Town of Cobourg	-344,000
Town of Port Hope	475,000
Town of Brighton	314,000
Municipality of Campbellford/Seymour	662,000
Village of Colborne	202,000
Village of Hastings	55,000
Township of Alnwick	290,000
Township of Brighton	149,000
Township of Cramahe	420,000
Township of Haldimand	246,000
Township of Hamilton	878,000
Township of Hope	122,000
Township of Percy	230,000
County of Oxford	13,663,000
City of Woodstock	680,000
Town of Ingersoll	-374,000
Town of Tillsonburg	13,000
Township of Blandford-Blenheim	-162,000
Township of East Zorra-Tavistock	-41,000
Township of Norwich	84,000
Township of South-West Oxford	25,000
Township of Zorra	-225,000
County of Renfrew	8,952,000
Town of Arnprior	-206,000

Municipality	Amount (in dollars)
Town of Deep River	139,000
Town of Renfrew	-158,000
Town of Petawawa	467,000
Village of Barry's Bay	13,000
Village of Beachburg	-24,000
Village of Chalk River	-10,000
Village of Cobden	-11,000
Village of Eganville	-4,000
Village of Killaloe	10,000
Township of Admaston	23,000
Township of North Algona	20,000
Township of South Algona	17,000
Township of Alice and Fraser	-22,000
Township of Bromley	-53,000
Township of Brudenell and Lyndoch	7,000
Township of Grattan	6,000
Township of Griffith and Matawatchan	28,000
Township of Hagarty and Richards	86,000
Township of Head, Clara and Maria	-137,000
Township of Horton	-42,000
Township of Radcliffe	56,000
Township of Raglan	-3,000
Township of Rolph, Buchanan, Wylie and McKay	8,000
Township of Ross	-108,000
Township of Sebastopol	-12,000
Township of Sherwood, Jones and Burns	79,000
Township of Westmeath	-44,000
Township of Wilberforce	-6,000
Townships of Stafford and Pembroke	-151,000
Township of Bagot, Blythfield and Brougham	132,000
Township of McNab-Braeside	-95,000
County of Simcoe	38,229,000
Town of Collingwood	700,000
Town of Midland	284,000
Town of Penetanguishene	377,000
Town of Wasaga Beach	1,654,000
Town of Innisfil	2,846,000
Town of Bradford-West Gwillimbury	1,430,000
Town of New Tecumseth	1,119,000
Township of Essa	944,000
Township of Tiny	1,814,000
Township of Adjala-Tosorontio	613,000
Township of Clearview	1,201,000
Township of Oro-Medonte	1,925,000
Township of Ramara	1,288,000
Township of Severn	965,000
Township of Springwater	1,296,000
Township of Tay	1,336,000

Municipality	Amount (in dollars)
County of Victoria	14,419,000
Town of Lindsay	227,000
Village of Bobcaygeon	252,000
Village of Fenelon Falls	236,000
Village of Omemece	74,000
Village of Sturgeon Point	89,000
Village of Woodville	29,000
Township of Bexley	538,000
Township of Carden	172,000
Township of Dalton	29,000
Township of Eldon	91,000
Township of Emily	364,000
Township of Fenelon	751,000
Township of Laxton Digby and Longford	150,000
Township of Mariposa	252,000
Township of Ops	106,000
Township of Somerville	506,000
Township of Verulam	555,000
Township of Manvers	-28,000
County of Wellington	11,967,000
Town of Fergus	-125,000
Town of Harriston	4,000
Town of Mount Forest	9,000
Town of Palmerston	31,000
Town of Erin	189,000
Village of Arthur	6,000
Village of Clifford	14,000
Village of Elora	40,000
Township of Arthur	-33,000
Township of Eramosa	11,000
Township of West Garafraxa	87,000
Township of Guelph	-38,000
Township of West Luther	1,000
Township of Maryborough	-22,000
Township of Minto	-39,000
Township of Nichol	70,000
Township of Pilkington	1,000
Township of Puslinch	-94,000
Township of Mapleton	-114,000
SEPARATED MUNICIPALITIES	
City of Barrie	18,034,000
City of Belleville	8,154,000
City of Brantford	10,853,000
City of Brockville	2,565,000
City of Cornwall	6,506,000
Town of Gananoque	609,000
City of Guelph	18,056,000
City of London	83,045,000
City of Orillia	5,361,000

Municipality	Amount (in dollars)
City of Owen Sound	2,749,000
Township of Pelee	110,000
City of Pembroke	1,336,000
City of Peterborough	12,110,000
Town of Prescott	398,000
Town of St. Marys	700,000
City of St. Thomas	3,390,000
Town of Smiths Falls	1,113,000
City of Stratford	3,643,000
City of Windsor	35,893,000
DISTRICTS	
District of Algoma	
City of Sault Ste. Marie	10,991,000
City of Elliot Lake	2,198,000
Town of Blind River	1,138,000
Town of Bruce Mines	45,000
Town of Thessalon	96,000
Village of Hilton Beach	28,000
Village of Iron Bridge	195,000
Township of Day and Bright Additional	226,000
Township of Hilton	61,000
Township of Jocelyn	70,000
Township of Johnson	95,000
Township of Laird	158,000
Township of Macdonald Meredith et al	162,000
Township of Michipicoten	416,000
Township of Plummer Additional	94,000
Township of Prince	193,000
Township of St Joseph	170,000
Township of Tarbutt and Tarbutt Add'nl	52,000
Township of Thessalon	83,000
Township of Thompson	34,000
Township of Hornepayne	104,000
Township of The North Shore	209,000
Township of White River	135,000
Township of Shedden	80,000
Township of Dubreuilville	87,000
District of Cochrane	
City of Timmins	5,692,000
Town of Cochrane	563,000
Town of Hearst	474,000
Town of Iroquois Falls	358,000
Town of Kapuskasing	1,458,000
Town of Smooth Rock Falls	262,000
Township of Black River-Matheson	250,000
Township of Moonbeam	244,000
Township of Glackmeyer	95,000
Township of Fauquier-Strickland	53,000
Township of Val Rita-Harty	108,000

Municipality	Amount (in dollars)
Township of Mattice-Val Cote	3,000
Township of Opasatika	9,000
Moosonee Dev Area Bd	0
District of Kenora	
Town of Keewatin	210,000
Town of Kenora	887,000
Town of Jaffray Melick	308,000
Township of Ignace	124,000
Township of Machin	48,000
Township of Ear Falls	194,000
Township of Pickle Lake	-1,000
Township of Sioux Narrows	134,000
District of Manitoulin	
Town of Gore Bay	55,000
Township of Assiginack	121,000
Township of Barrie Island	20,000
Township of Billings	94,000
Township of Cockburn Island	3,000
Township of Gordon	58,000
Township of Rutherford and George Island	45,000
Township of Tehkummah	58,000
District of Nipissing	
City of North Bay	8,241,000
Town of Cache Bay	31,000
Town of Mattawa	193,000
Town of Sturgeon Falls	537,000
Township of Bonfield	243,000
Township of Caldwell	148,000
Township of Calvin	-18,000
Township of Chisholm	119,000
Township of East Ferris	730,000
Township of Field	90,000
Township of Mattawan	22,000
Township of Springer	286,000
Township of Papineau-Cameron	80,000
District of Parry Sound	
Town of Kearney	316,000
Town of Parry Sound	323,000
Town of Powassan	111,000
Town of Trout Creek	51,000
Village of Burk's Falls	106,000
Village of South River	95,000
Village of Sundridge	152,000
Township of Armour	337,000
Township of Carling	-206,000
Township of Hagerman	78,000
Township of North Himsworth	437,000
Township of South Himsworth	144,000
Township of Joly	67,000

Municipality	Amount (in dollars)
Township of Machar	277,000
Township of McDougall	-52,000
Township of McKellar	10,000
Township of Nipissing	384,000
Township of Perry	422,000
Township of Ryerson	150,000
Township of Strong	293,000
Township of The Archipelago	187,000
District of Rainy River	
Town of Fort Frances	561,000
Town of Rainy River	39,000
Township of Alberton	82,000
Township of Atikokan	467,000
Township of Chapple	65,000
Township of Emo	112,000
Township of La Vallee	52,000
Township of Morley	17,000
Township of Dawson	15,000
District of Sudbury	
Township of Baldwin	108,000
Township of Casimir Jennings and Appleby	61,000
Township of Chappleau	212,000
Township of Cosby Mason and Martland	191,000
Township of Hagar	34,000
Township of Ratter and Dunnet	67,000
District of Thunder Bay	
City of Thunder Bay	17,055,000
Town of Geraldton	324,000
Town of Longlac	261,000
Town of Marathon	465,000
Township of Conmee	36,000
Township of Dorion	65,000
Township of Gillies	18,000
Township of Neebing	68,000
Township of Nipigon	326,000
Township of O'Connor	72,000
Township of Schreiber	230,000
Township of Shuniah	577,000
Township of Terrace Bay	264,000
Township of Manitouwadge	616,000
Township of Beardmore	-1,000
Township of Nakina	19,000
Township of Red Rock	141,000
District of Timiskaming	
Town of Charlton	19,000
Town of Cobalt	82,000
Town of Englehart	259,000
Town of Haileybury	606,000
Town of Kirkland Lake	911,000

Municipality	Amount (in dollars)
Town of Latchford	38,000
Town of New Liskeard	783,000
Village of Thornloe	11,000
Township of Armstrong	112,000
Township of Brethour	1,000
Township of Casey	34,000
Township of Chamberlain	5,000
Township of Dack	27,000
Township of Dymond	55,000
Township of Evanturel	34,000
Township of Harley	42,000

Municipality	Amount (in dollars)
Township of Harris	95,000
Township of Hilliard	20,000
Township of Hudson	99,000
Township of James	37,000
Township of Kerns	16,000
Township of Larder Lake	61,000
Township of McGarry	17,000
Township of Gauthier	11,000
Township of Matachewan	34,000

13. The Regulation is amended by adding the following Tables:

TABLE 4
PRESCRIBED FACTORS

Municipality	Multi-residential property class	Commercial property class	Industrial property class	Office building property class	Shopping centre property class	Parking lots and vacant land property class	Large Industrial property class
Durham R							
Pickering T	0.329725	0.184708	0.251501	0.141151	0.146077		0.299609
Ajax T	0.337009	0.207010	0.241099	0.228876	0.182613		0.345885
Whitby T	0.076783	0.047000	0.071086	0.042924	0.040253		0.087369
Oshawa C—Whitby E	0.092210	0.063407	0.053823				
Oshawa C—Oshawa C	0.153717	0.107967	0.158430	0.145816	0.074111		0.247191
Clarington T	0.048672	0.027837	0.048263		0.038083		0.042410
Scugog Tp	0.040035	0.028911	0.041677		0.037816		
Uxbridge Tp	0.039808	0.030688	0.044113	0.035490	0.017363		
Brock Tp	0.084192	0.072916	0.119031				
Haldimand-Norfolk R							
Dunnville T	0.082585	0.063545	0.103774				
Haldimand T	0.073530	0.070389	0.105363				
Nanticoke C-Haldimand	0.083827	0.090169	0.114182				
Nanticoke C-Norfolk	0.066931	0.067950	0.084335				
Simcoe T	0.076322	0.068476	0.106501				
Delhi Tp	0.069741	0.065305	0.097335				
Norfolk Tp	0.072792	0.066266	0.099947				
Halton R							
Oakville T	0.081033	0.059193	0.087869				
Burlington C	0.076199	0.059627	0.086625				
Milton T	0.083043	0.063224	0.087729				
Halton Hills T	0.083011	0.053642	0.090757				
Hamilton-Wentworth R							
Stoney Creek C	0.129345	0.117498	0.164778		0.102218	0.117358	0.208279
Glanbrook Tp	0.047003	0.052030	0.057313		0.013062	0.053125	
Ancaster T	0.078534	0.041541	0.051124		0.047636	0.055127	

Municipality	Multi-residential property class	Commercial property class	Industrial property class	Office building property class	Shopping centre property class	Parking lots and vacant land property class	Large Industrial property class
Hamilton C	0.110456	0.107314	0.154030		0.086144	0.124154	0.157781
Dundas T	0.085793	0.056478	0.118796		0.048914	0.024804	
Flamborough T	0.092497	0.042919	0.051475		0.040777	0.026067	
Niagara R							
West Lincoln Tp	0.082418	0.058904	0.099931				0.109879
Grimsby T	0.076965	0.062960	0.131557				0.131998
Lincoln T	0.080996	0.059830	0.115835				
Niagara-on-the-Lake T	0.104174	0.045166	0.079070				
St Catharines C	0.083369	0.061524	0.121360				0.129825
Fort Erie T	0.088297	0.059427	0.137606				0.143611
Port Colborne C	0.083592	0.062393	0.116756				0.132564
Wainfleet Tp	0.092265	0.056587	0.087042				
Welland C	0.081060	0.058049	0.125681				0.127483
Niagara Falls C	0.084287	0.052374	0.111398				0.126760
Thorold C	0.081360	0.062474	0.103045				0.122183
Pelham T	0.078663	0.057232	0.087835				
Cumberland Tp	0.122861	0.071598	0.066110		0.075300	0.092525	
Ottawa-Carleton R							
Osgoode Tp	0.124424	0.058964	0.073521		0.072363	0.073047	
Gloucester C	0.115679	0.082200	0.091223	0.106865	0.083373	0.117263	0.101591
Vanier C	0.134584	0.087521	0.070246	0.118396	0.078002	0.095905	
Rockcliffe Park V							
Nepean C	0.110937	0.092774	0.079847	0.116802	0.076830	0.124755	0.065333
Ottawa C	0.111879	0.091335	0.108092	0.114261	0.075113	0.115675	0.090450
Rideau Tp	0.119930	0.073571	0.047467		0.058364	0.104792	0.068724
Goulbourn Tp	0.137122	0.068757	0.071467		0.063857	0.079413	
Kanata C	0.107383	0.077997	0.111758	0.105732	0.067910	0.038606	0.103551
West Carleton Tp	0.130602	0.058326	0.066245			0.056132	
Peel R							
Mississauga C	0.285365	0.233591	0.278229				
Brampton C	0.225998	0.239910	0.271432				
Caledon T	0.251751	0.169806	0.226689				
Sudbury R							
Nickel Centre T	0.177796	0.173570	0.239813				0.200812
Sudbury C	0.207313	0.183130	0.278720				0.258105
Walden T	0.188466	0.198874	0.203237				0.275317
Onaping Falls T	0.257262	0.170628	0.264477				0.292405
Rayside—Balfour T	0.186653	0.157819	0.087282				
Valley East T	0.170777	0.146668	0.325994				
Capreol T	0.240438	0.176125	0.131514				

Municipality	Multi-residential property class	Commercial property class	Industrial property class	Office building property class	Shopping centre property class	Parking lots and vacant land property class	Large Industrial property class
Waterloo R							
North Dumfries Tp	0.163892	0.095964	0.109189				
Cambridge C	0.132651	0.088821	0.140005				
Kitchener C	0.129091	0.089893	0.137774				
Waterloo C	0.129882	0.088796	0.129270				
Wilmot Tp	0.118986	0.086868	0.130505				
Wellesley Tp	0.068577	0.076850	0.083993				
Woolwich Tp	0.130874	0.098206	0.115763				
York R							
Vaughan C	0.330049	0.175205	0.224667				
Markham T	0.266404	0.186790	0.230236				
Richmond Hill T	0.221567	0.175198	0.217672				
Whitchurch-Stouffville T	0.221402	0.125002	0.172531				
Aurora T	0.291040	0.182038	0.237548				
Newmarket T	0.209362	0.135066	0.191230				
King Tp	0.191411	0.141005	0.173229				
East Gwillimbury T	0.154646	0.152122	0.186155				
Georgina T	0.172530	0.139854	0.188869				
Brant Co							
Onondaga Tp		0.067223	0.190000				
Brantford Tp		0.102232	0.143985				
Brantford C	0.099108	0.090789	0.148580				
Oakland Tp		0.072049	0.117455				
Burford Tp		0.079501	0.145093				
South Dumfries Tp	0.084007	0.087769	0.128428				
Paris T	0.077152	0.105631	0.145342				
Bruce Co							
Mildmay-Carrick Tp—Carrick Tp		0.323131	0.223459				
Mildmay-Carrick Tp—Mildmay V	0.340088	0.318231	0.386687				
Teeswater-Culross Tp—Culross Tp	0.257886	0.343265	0.408862				
Teeswater-Culross Tp—Teeswater V	0.281270	0.320336	0.503422				
Kinloss Tp		0.409027	0.205556				
Lucknow V	0.288212	0.290522	0.403160				
Huron Tp	0.445873	0.357395	0.478000				
Kincardine Tp		0.336402	0.443314				
Kincardine T	0.347849	0.344227	0.392864				
Bruce Tp—Bruce Tp		0.438661	0.460337				
Bruce Tp—Tiverton V		0.303519	0.507375				
Greenock Tp		0.359450	0.431941				
Brant Tp	0.359092	0.351189	0.197293				
Walkerton T	0.335058	0.343861	0.496022				

Municipality	Multi-residential property class	Commercial property class	Industrial property class	Office building property class	Shopping centre property class	Parking lots and vacant land property class	Large Industrial property class
Elderslie Tp		0.333622	0.466432				
Chesley T	0.268704	0.278702	0.463730				
Paisley V	0.404826	0.271955					
Saugeen Tp		0.504746	0.325002				
Port Elgin T	0.386028	0.365198	0.447622				
Southampton T	0.373268	0.372058	0.378276				
Arran Tp	0.374201	0.362343	0.169533				
Tara V	0.307045	0.296246	0.487372				
Amabel Tp		0.400662	0.273259				
Hepworth V	0.377361	0.341060					
Warton T	0.340159	0.347237	0.420443				
Albemarle Tp		0.387701	0.283616				
Eastnor Tp		0.387046	0.360080				
Lion's Head V	0.320623	0.272746					
Lindsay Tp		0.434288	0.282592				
St Edmunds Tp	0.269217	0.379967	0.122032				
Chatham-Kent Co							
Municipality of Chatham-Kent—Romney Tp	0.065442	0.117777	0.100042			0.073484	0.159785
Municipality of Chatham-Kent—Wheatley V	0.064070	0.074777	0.103688			0.107347	
Municipality of Chatham-Kent—Tilbury East Tp		0.083303	0.132792			0.087988	
Municipality of Chatham-Kent—Tilbury T	0.084135	0.085371	0.132620		0.080816	0.110226	0.134423
Municipality of Chatham-Kent—Raleigh Tp	0.094684	0.086027	0.145946			0.048270	0.148720
Municipality of Chatham-Kent—Harwich Tp		0.081527	0.112194			0.081530	
Municipality of Chatham-Kent—Blenheim T	0.088970	0.077405	0.123140			0.057407	0.125912
Municipality of Chatham-Kent—Erieau V		0.075528					
Municipality of Chatham-Kent—Howard Tp	0.078409	0.097362	0.088747			0.115571	0.148053
Municipality of Chatham-Kent—Ridgetown T	0.083756	0.084862	0.129583			0.130124	
Municipality of Chatham-Kent—Orford Tp		0.058079	0.113858			0.036446	
Municipality of Chatham-Kent—Highgate V	0.082041	0.078813	0.127663			0.066835	
Municipality of Chatham —Kent—Zone Tp		0.070437	0.087499			0.062303	
Municipality of Chatham-Kent—Bothwell T	0.082447	0.091777	0.119002			0.079097	
Municipality of Chatham —Kent—Camden Tp		0.073815	0.112011			0.098000	

Municipality	Multi-residential property class	Commercial property class	Industrial property class	Office building property class	Shopping centre property class	Parking lots and vacant land property class	Large Industrial property class
Municipality of Chatham—Kent—Thamesville V	0.085020	0.075889	0.134357			0.090269	
Municipality of Chatham-Kent—Dresden T	0.082013	0.076143	0.127799			0.137206	0.151550
Municipality of Chatham—Kent—Chatham Tp	0.063006	0.076241	0.114329		0.080009	0.064815	0.135602
Municipality of Chatham—Kent—Chatham C	0.086336	0.089370	0.126445	0.072127	0.110027	0.102892	0.146130
Municipality of Chatham—Kent—Wallaceburg T	0.089291	0.083482	0.133432		0.087048	0.078936	0.147310
Municipality of Chatham—Kent—Dover Tp	0.092007	0.087425	0.109277			0.065580	0.137275
Dufferin Co							
East Garafraxa Tp		0.057950	0.063681				
East Luther Grand Valley Tp	0.109072	0.054488	0.083510				
Amaranth Tp		0.063831	0.081093				
Mono Tp		0.055045	0.087577				
Orangeville T	0.109499	0.063611	0.106356				
Mulmur Tp		0.025191	0.063684				
Melancthon Tp	0.088428	0.066273	0.068825				
Shelburne T	0.096954	0.058751	0.081979				
Elgin Co							
Bayham, Port Burwell, Vienna Tp—Bayham Tp	0.066786	0.066028	0.107231				
Bayham, Port Burwell, Vienna Tp—Port Burwell V	0.078824	0.045130					
Bayham, Port Burwell, Vienna Tp—Vienna V	0.079299	0.045141					
Malahide, South Dorchester, Springfield Tp—Malahide Tp		0.044585	0.092515				0.109357
Malahide, South Dorchester, Springfield Tp—Springfield V		0.068989	0.072556				
Malahide, South Dorchester, Springfield Tp—South Dorchester Tp		0.046959	0.040678				
Aylmer T	0.086141	0.061347	0.105361				0.106583
Central Elgin Tp—Belmont V	0.067530	0.065607	0.096631				
Central Elgin Tp—Yarmouth Tp		0.062309	0.058309				
Central Elgin Tp—Port Stanley V	0.071673	0.062155	0.151900				
St Thomas C	0.086586	0.070279	0.117473				
Southwold Tp		0.062870	0.088247				0.126793
Dutton-Dunwich Tp—Dunwich Tp		0.057131	0.135544				
Dutton-Dunwich Tp—Dutton V	0.076568	0.052534	0.116476				
West Elgin Tp—Aldborough Tp	0.077484	0.056414	0.120696				
West Elgin Tp—West Lorne V	0.074434	0.059780	0.114946				

Municipality	Multi-residential property class	Commercial property class	Industrial property class	Office building property class	Shopping centre property class	Parking lots and vacant land property class	Large Industrial property class
Essex Co							
Pelee Tp		0.036773	0.023986				
Mersea Tp	0.088633	0.080430	0.133078			0.065183	0.147243
Leamington T	0.095917	0.067979	0.109605	0.058927	0.081626	0.069442	0.156157
Gosfield South Tp	0.096569	0.071277	0.116070			0.070056	0.145391
Kingsville T	0.101826	0.072699	0.124015			0.085432	0.140480
Gosfield North Tp	0.094783	0.081297	0.127384			0.081485	
Colchester North Tp	0.061734	0.110228	0.103582				
Colchester South Tp		0.070988	0.107560			0.076055	
Harrow T	0.108171	0.066282	0.131693			0.072203	0.145174
Amherstburg T—Malden Tp	0.053261	0.053373				0.057553	
Amherstburg T—Amherstburg T	0.093668	0.062500	0.138297		0.083785	0.043422	0.180520
Amherstburg T—Anderdon Tp		0.077029	0.112409				0.151995
LaSalle T	0.072715	0.056321	0.113363		0.070632	0.060050	0.126575
Windsor C	0.170250	0.131702	0.194529	0.134856	0.144882	0.123088	0.270712
Tecumseh T	0.096149	0.060111	0.111709	0.079920	0.065191	0.054721	0.151347
Sandwich South Tp		0.092873	0.117757		0.116913	0.051122	
Lakeshore Tp—Maidstone Tp		0.074595	0.122076			0.045378	0.153411
Lakeshore Tp—Belle River T	0.097884	0.075260			0.158853	0.082935	
St Clair Beach V	0.098971	0.057625			0.073802	0.066981	
Essex T	0.076781	0.069167	0.119659		0.069847	0.079905	
Rochester Tp		0.063548	0.086456			0.049055	
Tilbury West Tp	0.084336	0.060655	0.110588			0.055138	
Tilbury North Tp		0.069310	0.107929			0.074379	
Frontenac Co							
Frontenac Islands Tp—Wolfe Island Tp		0.047639	0.106305				
Frontenac Islands Tp—Howe Island Tp		0.017966					
Kingston C—Pittsburgh Tp		0.055238	0.057368				
Kingston C—Kingston Tp	0.077181	0.048221	0.096321				
Kingston C—Kingston C	0.084816	0.067052	0.116473				
South Frontenac Tp—Storrington Tp	0.029962	0.046246	0.075577				
South Frontenac Tp—Loughborough Tp	0.115250	0.030868	0.027530				
South Frontenac Tp—Portland Tp		0.053243	0.071516				
South Frontenac Tp—Bedford Tp		0.036870	0.033493				
Central Frontenac Tp—Hinchinbrooke Tp		0.039462					
Central Frontenac Tp—Oso Tp	0.044611	0.038820					
Central Frontenac Tp—Olden Tp		0.047739					
Central Frontenac—Kennebec Tp		0.042233					

Municipality	Multi-residential property class	Commercial property class	Industrial property class	Office building property class	Shopping centre property class	Parking lots and vacant land property class	Large industrial property class
North Frontenac Tp—North Frontenac Tp		0.043192					
North Frontenac Tp—Clarendon and Miller Tp		0.034294					
North Frontenac Tp—Palmerston and N and S Canonto Tp		0.033516	0.060349				
Grey Co							
Normanby Tp		1.006173	1.177269				
Neustadt V	0.230657	0.245184	0.346909				
Egremont Tp		0.340095	0.380295				
Proton Tp		0.229760	0.201431				
Dundalk V	1.061240	1.103216	1.269777				
Osprey Tp		0.238884	0.297803				
Artemesia Tp—Artemesia Tp		0.312651	0.276916				
Artemesia Tp—Flesherton V		0.248320	0.240208				
Glenelg Tp		0.270282	0.170275				
Markdale V	0.255126	0.310084	0.297066				
Durham T	0.929900	0.924479	1.175688				
Bentinck Tp	0.288679	0.303041	0.428449				
Hanover T	0.753562	0.945773	1.057813				
Sullivan Tp		0.270413	0.312379				
Chatsworth V	0.378571	0.254607					
Holland Tp		0.225597	0.408033				
Euphrasia Tp		0.518047	0.065844				
Blue Mountain T—Collingwood T		0.245352	0.340591				
Blue Mountain T—Collingwood T Thornbury	0.514196	0.234016	0.422699				
St Vincent Tp		0.215679	0.213944				
Meaford T	0.313592	0.262559	0.399603				
Sydenham Tp	0.191261	0.302253	0.244149				
Derby Tp	0.314667	0.323562	0.379144				
Sarawak Tp		0.210763	0.440532				
Owen Sound C	0.186552	0.193743	0.325823	0.182634	0.246859	0.135790	0.379861
Keppel Tp—Keppel Tp		0.376034	0.289649				
Keppel Tp—Shallow Lake V	0.305019	0.252805	0.299468				
Haliburton Co							
Cardiff Tp	0.039382	0.024360	0.029177				
Bicroft Tp		0.628259					
Monmouth Tp		0.007152	0.014027				
Glamorgan Tp		0.342286	0.936275				
Snowdon Tp		0.003325					
Lutterworth Tp		0.006228	0.008149				

Municipality	Multi-residential property class	Commercial property class	Industrial property class	Office building property class	Shopping centre property class	Parking lots and vacant land property class	Large Industrial property class
Anson Hindon and Minden Tp	0.010573	0.014672	0.006282				
Stanhope Tp		0.009414					
Dysart et al Tp	0.009007	0.012056	0.011821				
Sherborne et al Tp	0.015305	0.012327	0.010376				
Hastings Co							
Tyendinaga Tp		1.369186	1.100533				
Deseronto T	1.504341	0.781407	0.290724				
Quinte West C—Sidney Tp	1.460197	1.072954	1.264324				1.416578
Quinte West C—Trenton C	0.068823	0.055813	0.073127				0.089702
Quinte West C—Frankford V	0.934477	1.099082	1.589726				
Quinte West C—Murray Tp	0.041131	0.043036	0.031754				0.066749
Belleville C—Thurlow Tp	1.776298	1.103302	1.338931				
Belleville C—Belleville C	0.188650	0.143663	0.252370				
Stirling-Rawdon Tp—Stirling V	1.157442	0.948021	1.270435				
Stirling-Rawdon Tp—Rawdon Tp		1.074712	1.037769				
Centre Hastings—Huntingdon Tp		1.490478	1.197657				
Centre Hastings Tp—Madoc V	1.216968	0.959146	0.728395				
Tweed V—Hungerford Tp	0.903084	1.117893	1.179407				
Tweed V—Tweed V	1.173134	1.189123	1.413790				
Tweed V—Elzevir and Grimsthorpe Tp	1.026239	1.450731	1.253149				
Madoc Tp		1.038251	1.273931				
Marmora and Lake Tp—Marmora and Lake Tp		1.218455	1.550279				
Marmora and Lake Tp—Deloro V		1.232143					
Marmora V	2.083491	0.948338	0.875365				
Tudor and Cashel Tp		1.087479	1.152503				
Limerick Tp		1.042984	1.072961				
Wollaston Tp		0.866255	0.969697				
Faraday Tp		1.071383	1.130804				
Bancroft T	1.322612	0.976006	1.106661				
Dungannon Tp		0.902980	1.195576				
Mayo Tp		1.194357	1.458814				
Carlow Tp		1.003256	1.047120				
Monteagle Tp		1.048006	1.098823				
Herschel Tp		0.971702	1.507987				
Bangor Wicklow and McClure Tp		0.957512	1.074879				
Huron Co							
Usborne Tp		1.235698	0.942668				
Stephen Tp	1.331731	0.871218	1.111363				
Exeter T—Exeter T	1.013140	0.948568	1.197851				

Municipality	Multi-residential property class	Commercial property class	Industrial property class	Office building property class	Shopping centre property class	Parking lots and vacant land property class	Large Industrial property class
Exeter T—Hay Tp	1.195745	1.090740	1.021309				
Hensall V	1.004026	1.143038	1.009739				
Zurich V	0.920474	0.920919	1.051339				
Tuckersmith Tp	1.101961	0.955021	0.791634				
Stanley Tp		1.219452	0.923717				
Bayfield V		1.093324					
Goderich Tp		0.924952	0.690129				
Clinton T	1.056110	1.121170	0.899149				
Goderich T	0.970064	1.036995	1.122813				
Colborne Tp		1.081271	0.762456				
Hullett Tp		1.021301	0.974445				
McKillop Tp		1.123708	0.764732				
Seaforth T	1.036540	0.906250	0.977766				
Grey Tp		1.026637	0.925651				
Brussels V	0.858040	0.993332	0.935291				
Howick Tp	0.898757	1.129287	1.091645				
Turnberry Tp		1.039515	1.204695				
Wingham T	1.052970	1.070153	1.184146				
Morris Tp		0.808686	0.930133				
Blyth V	0.901130	0.967987	1.000012				
East Wawanosh Tp		0.894875	0.945710				
West Wawanosh Tp		1.148247	0.968230				
Ashfield Tp		1.102409	0.898204				
Lambton Co							
Sombra Tp	0.120055	0.091126	0.119142			0.094564	0.170851
Dawn-Euphemia Tp—Dawn Tp		0.129501	0.129911				
Dawn-Euphemia Tp—Euphemia Tp		0.064645	0.122967			0.041603	
Brooke Tp		0.058545	0.143343			0.127280	
Alvinston V	0.109431	0.062859	0.130318			0.082044	
Enniskillen Tp	0.112789	0.071938	0.092025				
Oil Springs V	0.108269	0.059258	0.170965			0.077500	
Petrolia T	0.099871	0.080302	0.144077			0.123612	
Moore Tp	0.118595	0.108586	0.116043	0.169128		0.067331	0.163905
Sarnia C—Clearwater	0.118357	0.098856	0.129776	0.073100	0.105282	0.097437	
Sarnia C—Sarnia C	0.111953	0.086678	0.147154	0.094008	0.163581	0.093517	0.146855
Point Edward V	0.094866	0.078758	0.102820	0.110405		0.112040	
Plympton Tp		0.061741	0.118413			0.033780	
Wyoming V	0.109188	0.075833	0.149860			0.106477	
Forest T	0.111417	0.070564	0.113796			0.102157	
Warwick Tp—Warwick Tp	0.110142	0.058806	0.127810				

Municipality	Multi-residential property class	Commercial property class	Industrial property class	Office building property class	Shopping centre property class	Parking lots and vacant land property class	Large Industrial property class
Warwick Tp—Watford V	0.108912	0.070276	0.142396			0.044827	
Bosanquet T	0.109336	0.055827	0.123922			0.078246	
Arkona V		0.063822					
Thedford V	0.104992	0.063233	0.111543			0.065543	
Grand Bend V	0.106233	0.090647				0.115346	
Lanark Co							
Montague Tp		0.038185	0.076438				
Smiths Falls ST	0.054234	0.053620	0.086360				
Bathurst, N Burgess and Sherbrooke Tp—North Burgess Tp	0.048296	0.031968					
Bathurst, N Burgess and Sherbrooke Tp—South Sherbrooke Tp		0.041866	0.047602				
Bathurst, N Burgess and Sherbrooke Tp—Bathurst Tp	0.043136	0.035432	0.116785				
Drummond/North Elmsley Tp—North Elmsley Tp		0.041571	0.020542				
Drummond/North Elmsley Tp—Drummond Tp		0.039149	0.037124				
Perth T	0.052758	0.045927	0.085471				
Beckwith Tp		0.039308	0.080132				
Carleton Place T	0.052702	0.048984	0.085077				
Mississippi Mills T—Ramsay Tp	0.045930	0.039444	0.045339				
Mississippi Mills T—Almonte T	0.057261	0.038838	0.054943				
Mississippi Mills T—Pakenham Tp	0.056043	0.032567	0.027702				
Lanark Highlands Tp—Lanark Tp		0.035370	0.054035				
Lanark Highlands Tp—Lanark V	0.050022	0.035873	0.070319				
Lanark Highlands Tp—Lavant Dalhousie N Sherbrooke Tp		0.024184	0.052218				
Lanark Highlands Tp—Darling Tp		0.047699	0.098822				
Leeds and Grenville Co							
Edwardsburgh Tp	0.066915	0.044707	0.097317				
Cardinal V	0.050619	0.042500	0.065632				0.114914
Augusta Tp	0.049527	0.053169	0.104464				0.133785
Prescott ST	0.051695	0.050510	0.095401				
Merrickville-Wolford V—Wolford Tp		0.048618	0.095312				
Merrickville-Wolford V—Merrickville V	0.047363	0.042539	0.098335				
North Grenville Tp—Oxford on Rideau Tp		0.051514	0.097296				
North Grenville Tp—Kemptville T	0.049163	0.046863	0.061653				
North Grenville Tp—South Gower Tp		0.054446	0.063297				
Elizabethtown Tp	0.062383	0.047992	0.091817				
Brockville C	0.053314	0.056934	0.113021				

Municipality	Multi-residential property class	Commercial property class	Industrial property class	Office building property class	Shopping centre property class	Parking lots and vacant land property class	Large Industrial property class
Front of Yonge Tp		0.047728	0.028605				
Front of Escott Tp		0.042919	0.020281				
Front of Leeds and Lansdowne Tp	0.058719	0.044499	0.071565				
Gananoque ST	0.054054	0.053223	0.101641				
Rear of Leeds and Lansdowne Tp		0.034423	0.064191				
Rear of Yonge and Escott Tp		0.031631	0.100900				
Athens V	0.058911	0.031099	0.056852				
Kitley Tp		0.040053	0.069481				
Rideau Lakes Tp—South Elmsley Tp		0.046265	0.057626				
Rideau Lakes Tp—Bastard and South Burgess Tp	0.047457	0.035772	0.057766				
Rideau Lakes Tp—South Crosby Tp	0.044629	0.036615	0.217052				
Rideau Lakes Tp—North Crosby Tp		0.041543	0.027276				
Rideau Lakes Tp—Newboro V		0.048232					
Westport V	0.058095	0.048058					
Lennox and Addington Co							
Loyalist Tp—Amherst Island Tp		0.039600					
Loyalist Tp—Ernestown Tp	0.130418	0.061739	0.294462	0.098968	0.048025	0.103032	0.123943
Loyalist Tp—Bath V	0.066177	0.025702	0.041170			0.111667	0.031865
Greater Napanee T—South Fredericksburgh Tp		0.067163	0.091201				
Greater Napanee T—Adolphustown Tp		0.032211					
Greater Napanee T—North Fredericksburgh Tp		0.046106	0.074253			0.060190	
Greater Napanee T—Richmond Tp	0.044898	0.051365	0.079641		0.082133	0.049813	0.087332
Greater Napanee T—Napanee T	0.102657	0.068758	0.110200		0.088644	0.033899	
Stone Mills Tp—Camden East Tp		0.053522	0.010504			0.011111	0.132466
Stone Mills Tp—Newburgh V	0.156846	0.093079				0.190571	
Stone Mills Tp—Sheffield Tp	0.085303	0.064704				0.086958	
Addington Highlands Tp—Kaladar Anglesea and Effingham Tp	0.061032	0.037076				0.054146	
Addington Highlands Tp—Denbigh Abinger and Ashby Tp		0.064405	0.020619			0.049296	
Middlesex Co							
Mosa Tp		0.046471	0.016667				
Newbury V		0.048880	0.086889				
Wardsville V	0.045782	0.032370					
Ekfrid Tp	0.041849	0.052118	0.078182				
Glencoe V	0.069253	0.047702	0.080727				
Metcalfe Tp		0.022443	0.034893				
Caradoc Tp	0.063200	0.045712	0.082499				

Municipality	Multi-residential property class	Commercial property class	Industrial property class	Office building property class	Shopping centre property class	Parking lots and vacant land property class	Large Industrial property class
Strathroy T	0.056129	0.055853	0.077259				
North Dorchester Tp	0.059125	0.058462	0.072331				
West Nissouri Tp	0.065884	0.055344	0.063764				
London C	0.107175	0.087191	0.117758	0.098294	0.073389		0.131482
Middlesex Centre Tp—Delaware Tp	0.061553	0.054071	0.077229				
Middlesex Centre Tp—London Tp	0.054639	0.047647	0.061498				
Middlesex Centre Tp—Lobo Tp	0.062345	0.054685	0.071321				
East Williams Tp		0.063246	0.072148				
Ailsa Craig V	0.057223	0.055086	0.032844				
Adelaide Tp		0.061643	0.081457				
West Williams Tp		0.060729	0.068318				
Parkhill T	0.060211	0.050186	0.079381				
McGillivray Tp		0.044475	0.073454				
Biddulph Tp	0.059198	0.047228	0.084893				
Lucan V	0.063373	0.049120	0.106594				
Northumberland Co							
Brighton Tp		0.024420	0.016440				
Brighton T	0.059193	0.036690	0.076833				
Cramahe Tp		0.025441	0.063337				
Colborne V	0.041836	0.038374	0.067756				
Haldimand Tp	0.035000	0.025519	0.020785				
Hamilton Tp	0.025193	0.024384	0.052941				
Cobourg T	0.070420	0.064388	0.106679				
Hope Tp		0.032137	0.047658				
Port Hope T	0.057455	0.047348	0.088701				
Alnwick Tp		1.036321					
Percy Tp	0.057779	0.028836	0.023817				
Hastings V	0.048711	0.041386	0.076901				
Campbellford/Seymour T—Seymour Tp		0.024202	0.035867				
Campbellford/Seymour T—Campbellford T	1.433472	1.072057	1.245845				
Oxford Co							
Norwich Tp	0.095457	0.061843	0.090419				
Tillsonburg T	0.077239	0.060951	0.097590				
South-West Oxford Tp		0.057282	0.098435				
Ingersoll T	0.081089	0.062487	0.099860				
Zorra Tp	0.090349	0.053819	0.087941				
East Zorra—Tavistock Tp	0.081744	0.070935	0.085851				
Woodstock C	0.085775	0.066363	0.100447				
Blandford—Blenheim Tp	0.085815	0.063518	0.088627				

Municipality	Multi-residential property class	Commercial property class	Industrial property class	Office building property class	Shopping centre property class	Parking lots and vacant land property class	Large Industrial property class
Perth Co							
Perth East Tp—South Easthope Tp		0.070917	0.082001				
Perth East Tp—North Easthope Tp		0.065585	0.084910				
Perth East Tp—Ellice Tp		0.065144	0.080261				
Perth East Tp—Morningside Tp		0.060016	0.084558				
Perth East Tp—Milverton V	0.103021	0.064531	0.105310				
Stratford C	0.047262	0.053086	0.074736				
St Marys ST	0.087362	0.063618	0.107799				
Perth South Tp—Downie Tp		0.068944	0.075509				
Perth South Tp—Blanshard Tp		0.064646	0.087345				
Perth West Tp—Fullarton Tp		0.060146	0.080642				
West Perth Tp—Hibbert Tp		0.056215	0.081330				
West Perth Tp—Logan Tp	0.088138	0.072955	0.081218				
West Perth Tp—Mitchell T	0.099655	0.067232	0.098584				
North Perth Tp—Elma Tp	0.106957	0.070765	0.082144				
North Perth Tp—Wallace Tp		0.070984	0.078689				
North Perth Tp—Listowel T	0.089437	0.069390	0.107277				
Peterborough Co							
Ashphodel—Norwood Tp—Ashphodel Tp		0.027753	0.021130				
Ashphodel—Norwood Tp—Norwood V	0.051405	0.037695	0.042942				
Otonabee—South Monaghan Tp—Otonabee Tp	0.033858	0.033095	0.020331				
Otonabee—South Monaghan Tp—South Monaghan Tp		0.028382					
Cavan—Millbrook—North Monaghan Tp—Cavan Tp		0.658770	0.922364				
Cavan—Millbrook—North Monaghan Tp—Millbrook V	0.034593	0.025828	0.046448				
Cavan—Millbrook—North Monaghan Tp—North Monaghan Tp		0.027524	0.023330				
Peterborough C—Peterborough C	0.077713	0.073805	0.129486				
Peterborough C—Other	0.048054						
Smith—Ennismore Tp—Ennismore Tp		0.146833	0.096147				
Smith—Ennismore Tp—Smith Tp		0.038176	0.041633				
Douro—Dummer Tp—Douro Tp		0.065930	0.037129				
Douro—Dummer Tp—Dummer Tp		0.036993	0.034776				
Lakefield V	0.047305	0.056186	0.075944				
Havelock—Belmont-Methuen Tp—Belmont and Methuen Tp		0.018936	0.047100				
Havelock—Belmont-Methuen Tp—Havelock V	0.043833	0.054752	0.046920				

Municipality	Multi-residential property class	Commercial property class	Industrial property class	Office building property class	Shopping centre property class	Parking lots and vacant land property class	Large Industrial property class
Burleigh-Anstruther—Chandos Tp —Chandos Tp		0.019557	0.022474				
Burleigh-Anstruther—Chandos Tp —Burleigh and Anstruther Tp	0.106936	0.156987	0.102453				
Galway-Cavendish and Harvey Tp —Harvey Tp		0.620806	0.488809				
Galway-Cavendish and Harvey Tp —Galway and Cavendish Tp		0.401102	0.597015				
Prescott and Russell Co							
East Hawkesbury Tp		0.118481	0.139411				
Hawkesbury T	0.176156	0.154617	0.227334				0.259063
Champlain Tp—West Hawkesbury Tp	0.241525	0.116704	0.186844				
Champlain Tp—Vankleek Hill T	0.179561	0.119603	0.198911				
Champlain Tp—Longueuil Tp		0.153104	0.182946				0.237112
Champlain Tp—L'Orignal V	0.200197	0.113700	0.103984				
The Nation Tp—Caledonia Tp		0.114793	0.094234				
The Nation Tp—South Plantagenet Tp		0.136251	0.203558				
The Nation Tp—St. Isidore V	0.228788	0.116466	0.228181				
The Nation Tp—Cambridge Tp	0.194255	0.119974	0.124945				
Alfred and Plantagenet Tp	0.210400	0.127324	0.098701				
Casselman V	0.208388	0.135879	0.202155				
Russell Tp	0.188139	0.140922	0.170622				
Clarence-Rockland C— Clarence Tp	0.225815	0.122796	0.123541				
Clarence-Rockland C—Rockland T	0.201733	0.122417					
Prince Edward Co							
Prince Edward County C—North Marysburgh Tp		1.053795	0.961607				
Prince Edward County C—South Marysburgh Tp		0.985553	1.047682				
Prince Edward County C— Athol Tp		1.550940	2.091071				
Prince Edward County C— Hallowell Tp		0.830654	0.937198				
Prince Edward County C— Bloomfield V		0.691033	1.249254				
Prince Edward County C—Picton T	1.029570	0.807884	1.193163				
Prince Edward County C— Sophiasburg		0.904770	1.693539				
Prince Edward County C— Hillier Tp		1.720834	0.988073				
Prince Edward County C— Wellington V	1.228224	1.027400	1.163824				
Prince Edward County C— Ameliasburg		0.929245	0.984672				

Municipality	Multi-residential property class	Commercial property class	Industrial property class	Office building property class	Shopping centre property class	Parking lots and vacant land property class	Large industrial property class
Renfrew Co							
McNab/Braeside Tp—McNab Tp	0.054570	0.041761	0.064590				
McNab/Braeside Tp—Braeside V		0.050016	0.049311				0.131103
Arnprior T	0.049398	0.067891	0.118615				0.133944
Bagot, Blythfield and Brougham Tp—Bagot and Blythfield Tp	0.052335	0.046871					
Bagot, Blythfield and Brougham Tp—Brougham Tp		0.037795					
Griffith and Matawatchan Tp		0.040404	0.039602				
Sebastopol Tp		0.051229	0.079230				
Brudenell and Lyndoch Tp		0.042854	0.109930				
Raglan Tp	0.054942	0.035107	0.070163				
Radcliffe Tp	0.060015	0.043298	0.119415				
Sherwood Jones and Burns Tp		0.049180	0.070014				
Barry's Bay V	0.046970	0.057418	0.092477				
Hagarty and Richards Tp		0.041448	0.045187				
Killaloe V	0.054555	0.053919					
South Algona Tp		0.030366	0.030351				
Grattan Tp		0.051854	0.044402				
Eganville V	0.049798	0.053442					
Admaston Tp		0.045132	0.037014				
Horton Tp		0.043685	0.089151				
Renfrew T	0.051534	0.060260	0.108217				0.119309
Ross Tp		0.051621	0.065216				0.125138
Cobden V	0.049924	0.050066					
Bromley Tp		0.045220	0.081756				
Westmeath Tp		0.043938	0.110068				
Beachburg V	0.048816	0.043188	0.091367				
Pembroke C	0.050177	0.063054	0.122937				
Stafford Tp	0.050595	0.062141	0.098964				0.118980
Wilberforce Tp		0.060201	0.033120				
North Algona Tp		0.046783	0.077635				
Alice and Fraser Tp		0.054324	0.063043				
Petawawa T—Petawawa Tp	0.052748	0.053352	0.099074				
Petawawa T—Petawawa V	0.055541	0.057585	0.103276				
Rolph, Buchanan, Wylie and McKay Tp		0.053402	0.026519				
Chalk River V	0.063579	0.052338	0.047139				
Deep River T	0.058943	0.047038	0.092712				
Head Clara and Maria Tp		0.083979					
Simcoe Co							
Adjala-Tosorontio Tp—Adjala pt		0.016188	0.018272				

Municipality	Multi-residential property class	Commercial property class	Industrial property class	Office building property class	Shopping centre property class	Parking lots and vacant land property class	Large Industrial property class
Adjala-Tosorontio Tp—Tosorontio pt		0.149022	0.215500				
Adjala-Tosorontio Tp—Sunnindale pt		0.130794	0.217563				
Bradford West Gwillimbury T—Tecumseth pt	0.072409	0.026708	0.019296				
Bradford West Gwillimbury T—West Gwillimbury pt		0.023599	0.023100				
Bradford West Gwillimbury T—Bradford pt	0.354082	0.233465	0.249141				
Innisfil—Innisfil	0.032219	0.020487	0.015570				
Essa Tp—Innisfil pt		0.024170					
Essa Tp—Essa pt	0.041678	0.028337	0.037566				
Essa Tp—Sunnindale pt		0.147229					
New Tecumseth T—Tecumseth pt	0.046171	0.031950	0.058112				
New Tecumseth T—Tottenham pt	0.251704	0.204688	0.336822				
New Tecumseth T—Beeton pt	0.702509	0.763474	0.833907				
New Tecumseth T—Essa pt		0.026022					
New Tecumseth T—Alliston pt	0.097341	0.089241	0.172676				
Clearview—Clearview	0.191794	0.135026	0.136943				
Collingwood T	0.195783	0.127135	0.267457				
Springwater Tp	1.094806	0.991471	1.325513				
Barrie C	0.569656	0.707873	0.782463				
Oro Medonte Tp	0.542883	0.412778	0.601038				
Ramara Tp—Mara pt		0.034074	0.026069				
Ramara Tp—Rama pt		0.028708	0.110177				
Severn Tp—Orillia pt	0.040762	0.040539	0.036986				
Severn Tp—Medonte pt		0.023335	0.026930				
Severn Tp—Coldwater pt	0.147021	0.146510	0.356948				
Severn Tp—Tay pt		0.711844	0.312856				
Severn Tp—Matchedash pt		0.018833	0.001843				
Orillia C	0.088182	0.067666	0.134869				
Tay Tp	1.150449	1.209375	1.031049				
Wasaga Beach T—Nottawasaga pt		0.017844					
Wasaga Beach T—Sunnindale pt		0.146154					
Wasaga Beach T—Wasaga Beach pt	0.727067	0.644408	0.620060				
Tiny Tp	0.034447	0.025228	0.031550				
Penetanguishene T—Tiny pt		0.024033					
Penetanguishene T—Penetanguishene pt	0.063352	0.054921	0.124058				
Penetanguishene T—Tay Pt		0.299547					
Penetanguishene T—Unorganized pt		0.025170	0.006863				

Municipality	Multi-residential property class	Commercial property class	Industrial property class	Office building property class	Shopping centre property class	Parking lots and vacant land property class	Large Industrial property class
Midland T—Tiny pt		0.039618	0.025143				
Midland T—Midland pt	0.112201	0.075251	0.165923				
Midland T—Tay Pt		1.545721					
Stormont, Dundas and Glengarry Co							
South Glengarry Tp—Lancaster Tp	0.072880	0.043292	0.049629				
South Glengarry Tp—Charlottenburgh Tp		0.050315	0.071699				
South Glengarry Tp—Lancaster V	0.083631	0.041871					
North Glengarry Tp—Kenyon Tp		0.052450	0.067653				
North Glengarry Tp—Maxville V	1.638783	0.762789	0.595898				
North Glengarry Tp—Lochiel Tp		0.728445	0.788907				
North Glengarry Tp—Alexandria T	0.077591	0.053340	0.131059				0.160744
Cornwall C	0.108438	0.080196	0.104745				
South Stormont Tp—Cornwall Tp	0.116722	0.047537	0.065919				0.137226
South Stormont Tp—Osnabruk Tp	0.084212	0.068731	0.062021				0.130108
North Stormont Tp—Finch Tp		0.053246	0.040493				
North Stormont Tp—Finch V	0.079666	0.052128	0.061923				
North Stormont Tp—Roxborough Tp	1.112346	0.879123	0.453532				
South Dundas Tp—Williamsburgh Tp	0.065406	0.053964	0.109541				
South Dundas Tp—Morrisburg V	0.073888	0.054357	0.081023				
South Dundas Tp—Matilda Tp		0.125863	0.108007				
South Dundas Tp—Iroquois V	0.078254	0.089841	0.139761				0.230514
North Dundas Tp—Mountain Tp	0.049962	0.050835	0.050571				
North Dundas Tp—Winchester Tp	0.607242	0.734057	0.622332				1.209767
North Dundas Tp—Winchester V	0.071946	0.045713	0.083926				0.072619
North Dundas Tp—Chesterville V	0.111216	0.056933	0.119381				0.179430
Victoria Co							
Emily Tp		0.024502	0.021308				
Omeme V	0.032172	0.022039	0.086331				
Ops Tp	0.028718	0.028676	0.022064				
Manvers Tp		0.017797	0.015951				
Ops Tp	0.028718	0.028676	0.022064				
Lindsay T	0.068901	0.044235	0.075991		0.048376		0.090873
Mariposa Tp	0.019305	0.023974	0.013615				
Woodville V		0.193165					
Eldon Tp		0.028695	0.012077				
Fenelon Tp		0.021446	0.016915				
Sturgeon Point V		0.004194					
Fenelon Falls V	0.019928	0.022325	0.031160				
Verulam Tp		0.017044	0.009544				

Municipality	Multi-residential property class	Commercial property class	Industrial property class	Office building property class	Shopping centre property class	Parking lots and vacant land property class	Large Industrial property class
Bobcaygeon V	0.151692	0.152103	0.350892				
Somerville Tp		0.012602	0.006777				
Bexley Tp		0.010607	0.014784				
Carden Tp		0.535273	0.192065				
Dalton Tp		0.396513	0.470076				
Laxton Digby and Longford Tp		0.008640	0.008309				
Wellington Co							
Puslinch Tp	0.087942	0.080952	0.097385				
Guelph Tp	0.078764	0.085136	0.115638				
Guelph C	0.250623	0.186128	0.307631				
Eramosa Tp	0.081209	0.058235	0.088769				
Erin T—Erin Tp	0.093502	0.062322	0.085749				
Erin T—Erin V	0.085800	0.059163	0.124905				
West Garafraxa Tp		0.060364	0.093288				
Nichol Tp	0.079410	0.063466	0.047801				
Fergus T	0.086979	0.059412	0.124090				
Elora V	0.089322	0.061199	0.121287				
Pilkington Tp		0.060194	0.075378				
Mapleton Tp—Peel Tp		0.067926	0.081542				
Mapleton Tp—Drayton V	0.102254	0.069681					
Maryborough Tp	0.095254	0.060168	0.123020				
Minto Tp		0.070373	0.075361				
Clifford V	0.091552	0.059149	0.086530				
Harriston T	0.089287	0.058143	0.113817				
Palmerston T	0.094094	0.050837	0.110905				
Arthur Tp		0.057465	0.117335				
Mount Forest T	0.089914	0.052524	0.125044				
Arthur V	0.096331	0.048642	0.119381				
West Luther Tp		0.060253					
Algoma D							
Jocelyn Tp		0.889917					
Hilton Tp		0.923560					
Hilton Beach V		0.855985					
St Joseph Tp	0.852853	0.722036	0.928009				
Laird Tp		1.018686	0.895522				
Tarbutt and Tarbutt Add'nl Tp		0.688435	0.721900				
Johnson Tp		1.086273					
Plummer Additional Tp		0.993095	1.035461				
Bruce Mines T		0.959326	1.242832				
Thessalon Tp	0.552460	1.027318	1.391286				
Thessalon T	1.283507	1.099697	1.162886				

Municipality	Multi-residential property class	Commercial property class	Industrial property class	Office building property class	Shopping centre property class	Parking lots and vacant land property class	Large Industrial property class
Day and Bright Additional Tp		0.618195	0.480835				
Iron Bridge V		1.016809	0.785043				
Blind River T	0.920255	0.972030	0.907401				
Shedden Tp		1.239360					
The North Shore Tp		0.952583	0.683172				
Elliot Lake C	0.640379	0.460266	0.845216	0.119503	0.345428	0.258744	
Macdonald Meredith et al Tp	0.699978	0.721992	0.505498				
Sault Ste Marie C	0.107125	0.130525	0.132741	0.126247	0.143071	0.149005	0.195342
Prince Tp		0.183402	0.195385				
Michipicoten Tp	0.243921	0.313119	0.230543				
Dubreuilville Tp	0.658228	0.839612	1.053688				
White River Tp	0.049688	0.096976	0.053991				
Hornepayne Tp	0.937088	1.163518	1.121324				
Cochrane D							
Black River—Matheson Tp	0.190853	0.362663	0.247880				
Timmins C	0.087351	0.101568	0.104345				0.125688
Iroquois Falls T	0.265290	0.242750	0.218047				0.446441
Glackmeyer Tp		0.199678	0.087829				
Cochrane T	0.307367	0.269362	0.310837				
Smooth Rock Falls T	0.364929	0.301427				0.370793	0.478888
Fauquier-Strickland Tp		0.278338	0.115076				
Moonbeam Tp		0.303255	0.180991				
Kapuskasing T	0.392148	0.326617	0.257120		0.439339		0.547824
Val Rita-Harty Tp		0.288582	0.298618				
Opasatika Tp		0.898035	1.202020				
Hearst T	0.315157	0.186530	0.245961				0.264651
Mattice—Val Cote Tp		0.558760					
Kenora D							
Ignace Tp	0.107598	0.095747	0.049679				
Sioux Narrows Tp		0.029957					
Keewatin T	0.029402	0.050832	0.063312				
Jaffray Melick T		0.049858	0.049950				
Kenora T	0.198906	0.226884	0.347963	0.275451	0.278154	0.240690	0.411056
Machin Tp	0.017067	0.032576	0.016074				
Dryden C—Dryden T	0.056595	0.055435	0.079078				0.117622
Dryden C—Barclay Tp Barclay Tp	0.033457	0.053370	0.067728				
Sioux Lookout T—Sioux Lookout T	0.062233	0.042720	0.054849				
Sioux Lookout T—Unorganized pt		0.050319	0.082998				
Sioux Lookout T—Dryden Locality Edu	0.073528	0.039433					
Red Lake Tp	0.118851	0.068680	0.039874				
Ear Falls Tp	0.117000	0.098905	0.168131				

Municipality	Multi-residential property class	Commercial property class	Industrial property class	Office building property class	Shopping centre property class	Parking lots and vacant land property class	Large Industrial property class
Golden Tp	0.108348	0.069577	0.084881				0.100149
Pickle Lake Tp	2.044199	1.174541	0.381464				
Manitoulin D							
Tehkummah Tp		0.824242	0.532121				
Carnarvon Tp		0.651517	0.645933				
Sandfield Tp		0.494747					
Assiginack Tp		0.734606	0.429864				
Northeastern Manitoulin and the Islands T	0.778266	0.608709	0.846433				
Northeastern Manitoulin and the Islands T—Little	0.618574	0.807979	0.895037				
Billings Tp		0.558192	0.742486				
Gordon Tp		0.771718	0.413054				
Gore Bay T	0.650777	0.788727	0.655325				
Burpee and Mills Tp—Burpee Tp		0.574575					
Barrie Island Tp		0.385525	0.796875				
Cockburn Island Tp							
Rutherford and George Island Tp		0.771716	0.755343				
Muskoka D							
Gravenhurst T	1.064094	1.029386	1.120904				
Bracebridge T	1.025914	1.053509	1.068932				
Lake of Bays Tp	1.069378	1.090188	1.103713				
Huntsville T	1.075511	0.971557	1.082698				
Muskoka Lakes Tp	1.776000	1.036062	1.073749				
Georgian Bay Tp—Georgian Bay Tp		1.236866					
Georgian Bay Tp—Georgian Bay Tp	1.303030	0.712618					
Nipissing D							
Airy Tp		0.124117	0.324184				
Papineau-Cameron Tp		0.769478	1.449104				
Mattawan Tp		0.010506	0.001603				
Mattawa T	0.131040	0.145191					
Calvin Tp		0.005116	0.023016				
Bonfield Tp		0.112971	0.159800				
Chisholm Tp		0.770237	0.278103				
East Ferris Tp		0.127725	0.136109				
North Bay C	0.071735	0.069807	0.098823				
Springer Tp	0.061677	0.051841	0.061453				
Sturgeon Falls T	0.260196	0.214661	0.296108				0.915183
Cache Bay T	0.138083	0.290489					
Caldwell Tp	0.595238	0.642796	0.734256				
Field Tp		0.730302					
Temagami Tp—Temagami Tp	0.177336	0.242398	1.591534				

Municipality	Multi-residential property class	Commercial property class	Industrial property class	Office building property class	Shopping centre property class	Parking lots and vacant land property class	Large Industrial property class
Temagami Tp—Unorganized pt		0.083232					
Parry Sound D							
Seguin Tp—Humphrey Tp		0.858851	0.683761				
Seguin Tp—Rosseau V		0.478371					
Seguin Tp—Foley Tp	0.341293	0.461154	0.932989				
Seguin Tp—Christie Tp		0.472141	0.188776				
The Archipelago Tp		0.279478					
McMurrich Tp—McMurrich Tp		0.991502	0.215179				
Perry Tp	0.958828	0.871063	0.611866				
Kearney T		0.708948	0.569470				
Armour Tp	0.921769	0.783105	0.228386				
Burk's Falls V	0.695906	0.625075	0.835795				
Ryerson Tp		0.536716	0.622482				
McKellar Tp		0.577640	0.398374				
McDougall Tp		0.600804	2.051782				
Parry Sound T	0.643097	0.624777	0.554000				
Carling Tp		0.462205	0.551852				
Hagerman Tp		0.448422	0.408889				
Magnetawan Tp—Chapman Tp		0.538707	0.220855				
Magnetawan Tp—Magnetawan V		0.688844					
Strong Tp	0.604444	0.850132	0.991379				
Sundridge V		0.951596	0.799817				
Joly Tp		0.623306					
Machar Tp		0.839931	0.291230				
South River V	1.015765	1.094082	0.981772				
South Himsworth Tp		0.668859	0.692265				
Trout Creek T	0.920245	0.676558	0.766251				
Powassan T		0.624909	0.761734				
North Himsworth Tp	0.680398	0.654337	0.680841				
Nipissing Tp		0.676586	0.131710				
Rainy River D							
Atikokan Tp	0.152040	0.156012	0.119229			0.083614	0.199473
Alberton Tp		0.024887	0.019747				
Fort Frances T	0.074037	0.115879	0.098815				0.161689
La Vallee Tp		0.011946	0.014467				
Emo Tp	0.020372	0.023555	0.028180				
Chapple Tp		0.015565	0.014747				
Morley Tp	0.017217	0.032941	0.004548				
Dawson Tp—Dilke Tp		0.014255					
Dawson Tp—Worthington Tp		0.052067					
Dawson Tp—Blue Tp		2.909091	0.287511				
Dawson Tp—Atwood Tp	0.014958	0.153410	0.020984				

Municipality	Multi-residential property class	Commercial property class	Industrial property class	Office building property class	Shopping centre property class	Parking lots and vacant land property class	Large Industrial property class
Rainy River T		0.068159	0.108745				
Lake of the Woods Tp—McCroscon and Tovell		0.171928					
Lake of the Woods Tp—Morson Tp		0.216401					
Sudbury D							
Cosby Mason and Martland Tp		0.012488	0.013178				
Casimir Jennings and Appleby Tp	0.057882	0.031107	0.346404				
Ratter and Dunnet Tp	0.020741	0.014035	0.004979				
Hagar Tp		0.021594	0.016250				
The Spanish River Tp		0.036648					
Sables—Spanish Rivers TP		0.054499					
Massey T		0.060836					
Webbwood T	0.056135	0.053427					
Espanola T/Merritt Tp—Espanola T	0.065470	0.054835	0.079707		0.074059		0.127246
Baldwin Tp	0.952904	0.675285	0.792065				
Nairn and Hyman Tp—Nairn Tp		0.063063	0.086450				
Chapleau Tp	0.285189	0.225466	0.261810				
Thunder Bay D							
Neebing Tp		0.019758					
Thunder Bay C	0.077544	0.068877	0.088422	0.069863	0.061903	0.058102	0.095634
Oliver and Paipoonge Tp—Paipoonge Tp	0.052348	0.050768	0.068809				
Oliver and Paipoonge Tp—Oliver Tp	0.028164	0.041477	0.050166				
Gillies Tp		0.034289	0.019557				
O'Connor Tp		0.021664	0.016371				
Conmee Tp		0.051028	0.036805				
Shuniah Tp	0.029116	0.063997	0.096700				
Dorion Tp		0.089580					
Red Rock Tp	0.369554	0.217800	0.613611				
Nipigon Tp	0.075287	0.071760	0.043999				
Schreiber Tp	0.080268	0.126776					
Terrace Bay Tp	0.390496	0.352650	0.343970				
Marathon T	0.214238	0.254575	0.293516			0.338649	0.650784
Manitouowadge Tp	0.906451	0.519128	0.356591				
Longlac T	0.108776	0.077148	0.116136				
Nakina Tp	0.172034	0.070557	0.026822				
Geraldton T	0.091259	0.090993	0.062721				
Beardmore Tp	0.171228	0.092757					
Timiskaming D							
Coleman Tp—Coleman Tp		0.037671	0.101706				
Latchford T		0.367276	0.251748				
Cobalt T	0.086590	0.095412	0.131846				

Municipality	Multi-residential property class	Commercial property class	Industrial property class	Office building property class	Shopping centre property class	Parking lots and vacant land property class	Large Industrial property class
Haileybury T	0.316493	0.252426	0.269576				
Harris Tp		0.035355					
Dymond Tp		0.062409			0.120025		
New Liskeard T	0.064365	0.090595	0.139614				
Hudson Tp		1.289563	0.996152				
Kerns Tp		0.028846					
Harley Tp		0.018894	0.034787				
Casey Tp		0.012286					
Armstrong Tp		0.072038	0.072939				
Thornloe V		0.164811					
James Tp		0.339917	0.186525				
Dack Tp		0.197566	0.220000				
Charlton T		0.093804	0.089827				
Evanturel Tp		0.051026	0.033082				
Englehart T	0.222775	0.182084	0.245790				
Chamberlain Tp		0.021030					
Matachewan Tp		0.078876	0.100766				
McGarry Tp	0.091313	0.183736	0.089800				
Larder Lake Tp	0.073375	0.131612	0.123874				
Gauthier Tp		0.863979	0.636586				
Kirkland Lake T	0.074175	0.091709	0.077042				

TABLE 5

AMOUNTS THAT UPPER-TIER MUNICIPALITIES SHALL TAKE INTO ACCOUNT UNDER SUBSECTION 447.20 (2) OF THE ACT

Municipality	Commercial Classes (amounts in dollars)	Industrial Classes (amounts in dollars)
Brant Co	49,444	58,704
Bruce Co	79,129	14,689
Dufferin Co	74,741	34,223
Durham R	1,000,310	727,029
Elgin Co	42,537	81,865
Essex Co	222,895	296,399
Frontenac Co	13,619	2,511
Grey Co	85,716	21,572
Haldimand-Norfolk R	155,126	173,151
Haliburton Co	32,059	2,145
Halton R	1,099,099	778,224
Hamilton-Wentworth R	1,659,144	899,341
Hastings Co	29,600	10,068
Huron Co	69,704	38,980

Municipality	Commercial Classes (amounts in dollars)	Industrial Classes (amounts in dollars)
Lambton Co	301,689	280,288
Lanark Co	70,771	34,858
Leeds and Grenville Co	70,217	63,589
Lennox and Addington Co	44,871	76,053
Middlesex Co	80,684	43,796
Muskoka D	84,758	14,682
Niagara R	1,073,375	634,958
Northumberland Co	149,983	121,251
Ottawa-Carleton R	3,899,886	455,084
Oxford Co	210,367	243,067
Peel R	4,531,827	2,077,336
Perth Co	53,193	34,444
Peterborough Co	68,584	20,514
Prescott and Russell Co	89,389	47,313
Renfrew Co	102,591	81,860
Simcoe Co	420,031	224,485
Stormont, Dundas and Glengarry Co	83,011	79,710
Sudbury R	433,391	284,127

Municipality	Commercial Classes (amounts in dollars)	Industrial Classes (amounts in dollars)
Victoria Co	108,249	34,655
Waterloo R	1,286,845	833,832
Wellington Co	95,437	70,721
York R	3,221,140	1,201,942

TABLE 6

**MUNICIPALITIES WITH RESPECT
TO WHICH SECTION 24 APPLIES**

Township of Burpee and Mills
Township of Central Manitoulin
Township of Coleman

Town of Espanola
Township of Magnetawan
Township of McMurrich-Monteith
Township of Nairn and Hyman
Township of Northeastern Manitoulin and The Islands
Municipality of Red Lake
Township of Sables-Spanish Rivers
Township of Seguin
Town of Sioux Lookout
Township of South Algonquin
Municipality of Temagami

ERNIE EVES
Minister of Finance

Dated on February 25, 1999.

11/99

**ONTARIO REGULATION 81/99
made under the
PAY EQUITY ACT**

Made: February 24, 1999
Filed: February 26, 1999

**AMENDMENTS TO THE APPENDIX
TO THE SCHEDULE TO THE ACT**

1. The Appendix to the Schedule to the *Pay Equity Act* is amended by striking out the heading "MINISTRY OF CITIZENSHIP" and items 1 and 2 under that heading, by striking out the heading "MINISTRY OF CULTURE, TOURISM AND RECREATION" and items 1 to 7 under that heading and by substituting the following:

**MINISTRY OF CITIZENSHIP, CULTURE
AND RECREATION**

1. Organizations providing services for immigrants and refugees that receive funding through the Newcomer Settlement Program of the Ministry of Citizenship, Culture and Recreation.

2. A native friendship centre, being an employer that is a not-for-profit corporation established to assist in improving the quality of life of urban and migrating native people.

3. The Art Gallery of Ontario.

4. CJRT-FM Inc.

5. Royal Botanical Gardens.

6. Community information centres.

7. The Northern Ontario Library Service Board.

8. The Southern Ontario Library Service Board.

2. The Appendix to the Schedule to the Act is amended by striking out the heading "MINISTRY OF ECONOMIC DEVELOPMENT AND TRADE" and substituting "MINISTRY OF ECONOMIC DEVELOPMENT, TRADE AND TOURISM" and by adding under that heading the following item:

2. The St. Clair Parkway Commission.

3. The Appendix to the Schedule to the Act is amended by striking out the heading "MINISTRY OF MUNICIPAL AFFAIRS" and substituting "MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING".

**RÈGLEMENT DE L'ONTARIO 81/99
pris en application de la
LOI SUR L'ÉQUITÉ SALARIALE**

pris le 24 février 1999
déposé le 26 février 1999

**MODIFICATION DE L'APPENDICE
DE L'ANNEXE DE LA LOI**

1. L'appendice de l'annexe de la *Loi sur l'équité salariale* est modifié par suppression de l'intertitre «MINISTÈRE DES AFFAIRES CIVIQUES» et des postes 1 et 2 figurant sous cet intertitre et par substitution de ce qui suit à l'intertitre «MINISTÈRE DE LA CULTURE, DU TOURISME ET DES LOISIRS» et aux postes 1 à 7 figurant sous cet intertitre :

**MINISTÈRE DES AFFAIRES CIVIQUES,
DE LA CULTURE ET DES LOISIRS**

1. Les organisations fournissant des services aux immigrants et aux réfugiés qui reçoivent des fonds dans le cadre du Programme d'aide à l'établissement des nouveaux arrivants du ministère des Affaires civiles, de la Culture et des Loisirs.

2. Les centres d'accueil autochtones qui sont des employeurs et qui constituent une personne morale sans but lucratif établie pour favoriser l'amélioration de la qualité de vie des autochtones citadins et itinérants.

3. Le Musée des beaux-arts de l'Ontario.

4. CJRT-FM Inc.

5. Les Jardins botaniques royaux.

6. Les centres d'information communautaires.

7. Le Conseil du service des bibliothèques de l'Ontario-Nord.

8. Le Conseil du service des bibliothèques de l'Ontario-Sud.

2. L'appendice de l'annexe de la *Loi* est modifié par substitution de l'intertitre «MINISTÈRE DU DÉVELOPPEMENT ÉCONOMIQUE, DU COMMERCE ET DU TOURISME» à l'intertitre «MINISTÈRE DU DÉVELOPPEMENT ÉCONOMIQUE ET DU COMMERCE» et par adjonction du poste suivant sous cet intertitre :

2. La Commission de la promenade Sainte-Claire.

3. L'appendice de l'annexe de la *Loi* est modifié par substitution de l'intertitre «MINISTÈRE DES AFFAIRES MUNICIPALES ET DU LOGEMENT» à l'intertitre «MINISTÈRE DES AFFAIRES MUNICIPALES».

4. The Appendix to the Schedule to the Act is amended by adding the following:

OFFICE RESPONSIBLE FOR WOMEN'S ISSUES

1. Any corporation or organization of persons, other than one that has no employees other than employees who directly or indirectly control it, that receives funding from the program administered by the Office Responsible for Women's Issues and known as Women's Centres Program: Investing in Women's Futures and that provides counselling, referral or information services for women.

11/99

ONTARIO REGULATION 82/99
made under the
PAY EQUITY ACT

Made: February 24, 1999
Filed: February 26, 1999

MANDATORY POSTING DATE

1. The mandatory posting date for a corporation or organization of persons described in item 1 under the heading "Office Responsible for Women's Issues" in the Appendix to the Schedule to the Act is September 1, 1999.

11/99

ONTARIO REGULATION 83/99
made under the
REAL ESTATE AND BUSINESS BROKERS ACT

Made: February 24, 1999
Filed: February 26, 1999

Amending Reg. 986 of the R.R.O. 1990
(General)

Note: Regulation 986 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Section 12 of Regulation 986 of the Revised Regulations of Ontario, 1990 is amended by striking out "and" at the end of clause (a), by adding "and" at the end of clause (b) and by adding the following clause:

- (c) declared eligible for membership in the Real Estate Council of Ontario by the Council.

2. The Regulation is amended by adding the following section:

17.1 (1) A person registered as a broker or salesperson shall become a member of the Real Estate Council of Ontario immediately after being registered if the person is not a member of the Council.

(2) The registration of a registered broker or salesperson described in subsection (1) expires if the person ceases to be a member of the Real Estate Council of Ontario.

4. L'appendice de l'annexe de la Loi est modifié par adjonction de ce qui suit :

**BUREAU DE LA MINISTRE DÉLÉGUÉE
À LA CONDITION FÉMININE**

1. Les personnes morales ou organisations de personnes, sauf celles qui n'ont que des employés qui en ont le contrôle direct ou indirect, qui reçoivent des fonds dans le cadre du programme qu'administre le Bureau de la ministre déléguée à la Condition féminine, intitulé Programme pour les centres de femmes : Investir dans l'avenir des femmes, et qui fournissent des services de consultation, de renvoi ou de renseignement pour les femmes.

RÈGLEMENT DE L'ONTARIO 82/99
pris en application de la
LOI SUR L'ÉQUITÉ SALARIALE

pris le 24 février 1999
déposé le 26 février 1999

DATE D'AFFICHAGE OBLIGATOIRE

1. La date d'affichage obligatoire applicable aux personnes morales ou organisations de personnes visées au poste 1 figurant sous l'intertitre «Bureau de la ministre déléguée à la Condition féminine» à l'appendice de l'annexe de la Loi est le 1^{er} septembre 1999.

3. This Regulation comes into force on January 1, 2000.

11/99

ONTARIO REGULATION 84/99
made under the
**ONTARIO MUNICIPAL EMPLOYEES
RETIREMENT SYSTEM ACT**

Made: February 24, 1999
Filed: February 26, 1999

ASSOCIATED EMPLOYERS

EMPLOYEES' ELIGIBILITY FOR MEMBERSHIP

1. (1) This section applies with respect to the duties of employees of associated employers described in clause (c) of the definition of "associated employer" in section 1 of the Act.

(2) Every service, program or thing to which an employee's duties relate is a prescribed service, program or thing for the purposes of subsection 9.1 (3) of the Act.

11/99

**Publications under the Regulations Act
Publications en vertu de la Loi sur les règlements**

1999—03—20

**ONTARIO REGULATION 85/99
made under the
HEALTH INSURANCE ACT**

Made: February 24, 1999
Filed: March 1, 1999

Amending Reg. 552 of R.R.O. 1990
(General)

Note: Since the end of 1997, Regulation 552 has been amended by Ontario Regulations 2/98, 44/98, 87/98, 111/98, 145/98, 146/98, 147/98, 172/98, 236/98, 375/98, 376/98, 377/98, 378/98, 478/98, 479/98, 528/98, 567/98, 575/98, 58/99, 59/99 and 60/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. (1) Subclause 1.1 (2) (a) (ii) of Regulation 552 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(ii) subject to subsections (3), (4), (5) and (6), is present in Ontario for at least 153 days in any 12-month period; and

.

(2) Subclause 1.1 (2) (b) (ii) of the Regulation is revoked and the following substituted:

(ii) is present in Ontario for at least 153 days immediately following the application.

(3) Section 1.1 of the Regulation is amended by adding the following subsections:

(3) A person referred to in clause (2) (a) is exempt from the requirement of subclause (2) (a) (ii) if the person provides the General Manager with evidence that he or she meets one of the following criteria:

- 1. The person's employment requires the person to travel frequently outside of Ontario.
- 2. The General Manager has approved, under section 28.4, payment for a treatment to be provided to the person outside Canada.
- 3. The person,
 - i. leaves Ontario for a reason mentioned in subsection (4),

ii. met the requirement of subclause (2) (a) (ii) for at least two consecutive 12-month periods immediately before leaving, and

iii. intends to return to make his or her permanent and principal home in Ontario.

4. The person,

- i. is the spouse of, or a dependent child who is under 19 years of age of, a person who is exempt under paragraph 3,
- ii. leaves Ontario to accompany the exempt person referred to in subparagraph i,

iii. met the requirement of subclause (2) (a) (ii) for at least two consecutive 12-month periods immediately before leaving, and

iv. intends to return to make his or her permanent and principal home in Ontario.

(4) For the purposes of paragraph 3 of subsection (3), the reasons for which a person leaves Ontario are as follows:

- 1. To work in a place outside Canada which constitutes the person's primary place of employment.
- 2. To attend a full-time educational program at an institution outside Canada that is accredited by the government of that jurisdiction.
- 3. To engage in missionary work outside Canada that is sponsored by a religious denomination in Ontario.

(5) A person who is exempt from the requirement of subclause (2) (a) (ii) under paragraph 3 of subsection (3) shall no longer be exempt from the requirement if,

(a) after having left Ontario for one of the reasons mentioned in subsection (4), the person is absent from Ontario for one of the other reasons mentioned in that subsection without having first returned to Ontario and met the requirement of subclause (2) (a) (ii) for at least two consecutive 12-month periods; and

(b) in the case of a person who leaves to work in a place outside Canada under paragraph 1 of subsection (4), the person fails to meet the requirement of subclause (2) (a) (ii) for more than five consecutive 12-month periods.

(6) In addition to any exemption under subsection (3), a person referred to in clause (2) (a) who leaves Ontario for an extended vacation or for any other reason is exempt from the requirement of subclause (2) (a) (ii) for two consecutive or separate 12-month periods if,

- (a) the person previously met the requirements of clause (2) (a) for at least two consecutive 12-month periods;
- (b) the person intends to return to make his or her permanent and principal home in Ontario; and
- (c) the person has not previously been exempted from the requirement of subclause (2) (a) (ii) under this subsection.

12/99

**ONTARIO REGULATION 86/99
made under the
ENVIRONMENTAL PROTECTION ACT**

Made: February 24, 1999
Filed: March 1, 1999

Amending O. Reg. 361/98
(Motor Vehicles)

Note: Ontario Regulation 361/98 has previously been amended by Ontario Regulation 401/98.

1. (1) Subsection 1 (1) of Ontario Regulation 361/98 is amended by adding the following definition:

"Drive Clean Guide" means the Ministry of the Environment publication entitled "Drive Clean Guide" and dated February 1, 1999, as amended from time to time;

(2) The definitions of "Greater Toronto Area", "hot rod", "kit car", "rebuilt car" and "urban and commuter areas" in subsection 1 (1) of the Regulation are revoked and the following substituted:

"Greater Toronto Area" means The Regional Municipality of Durham, The Regional Municipality of Halton, The Regional Municipality of Hamilton-Wentworth, The Regional Municipality of Peel, the City of Toronto and The Regional Municipality of York, and includes every place that has the same postal code as a place in one of those localities;

"hot rod" means a motor vehicle in which the original motor has been replaced with a motor of a type not installed by the manufacturer on that model of motor vehicle for the model year designated for the motor vehicle by the manufacturer;

"kit car" means a motor vehicle that has been constructed using a complete body of a motor vehicle supplied without a motor, chassis or drive train;

"rebuilt car" means a motor vehicle that has been constructed using various used or new component parts, such as a body, chassis or frame, obtained from other vehicles or from auto wreckers, dealers or manufacturers;

"urban and commuter areas" means the areas set out in the Schedule, and includes every place that has the same postal code as a place in one of those areas.

(3) Subsection 1 (2) of the Regulation is revoked and the following substituted:

(2) Despite the definition of "model year" in subsection (1), the model year of a grey market vehicle, hot rod, kit car or rebuilt car shall be determined as follows:

1. Before January 1, 2001, the model year of a grey market vehicle, hot rod, kit car or rebuilt car shall be deemed to be 1980.
2. On and after January 1, 2001,
 - i. the model year of a grey market vehicle or hot rod shall be deemed to be,
 - A. the model year designated by the manufacturer for the vehicle, if the manufacturer designated the model year of the vehicle to be 2000 or a later year,
 - B. the calendar year in which the manufacture of the vehicle was completed, if the manufacture of the vehicle was completed in 2000 or a later year and the manufacturer did not designate a model year for the vehicle, or
 - C. 1980, in any other case, and
 - ii. the model year of a kit car or rebuilt car shall be deemed to be the model year of the motor.

2. (1) Subsection 2 (1) of the Regulation is revoked and the following substituted:

(1) For the purpose of enforcing the Act and this Regulation, no person shall determine compliance with the maximum emission standards prescribed in sections 7, 8, 9 and 11 that are applicable to passenger vehicles and light duty trucks unless the person has successfully completed, within the previous 24 months, a course satisfactory to the

Director with respect to the testing of air emissions of passenger vehicles and light duty trucks.

(1.1) Despite subsection (1), for the purpose of enforcing the Act and this Regulation, no person shall determine compliance with the maximum emission standards prescribed in subsection 9 (6), (7) or (7.1) unless the person has successfully completed, within the previous 24 months, a course satisfactory to the Director with respect to the testing of air emissions of passenger vehicles and light duty trucks by means of the transient dynamometer test.

(1.2) For the purpose of enforcing the Act and this Regulation, no person shall determine compliance with the maximum emission standards prescribed in sections 7, 10 and 12 that are applicable to motor vehicles with a GVWR greater than 4,500 kg unless the person has successfully completed, within the previous 24 months, a course satisfactory to the Director with respect to the testing of air emissions of motor vehicles with a GVWR greater than 4,500 kg.

(2) Subsections 2 (2) and (3) of the Regulation are revoked and the following substituted:

(2) The testing to determine compliance with the maximum emission standards prescribed in sections 7, 8, 9, 10, 11 and 12 for the purpose of enforcing the Act and this Regulation shall take place at a testing facility accredited by the Director as an Ontario Drive Clean testing facility.

(3) Despite subsections (1) to (2), a provincial officer or police officer may determine compliance with the maximum emission standards prescribed in this Regulation for the purpose of enforcing the Act and this Regulation and may do so at any location.

3. The Regulation is amended by adding the following heading immediately before section 4:

EMISSION CONTROL EQUIPMENT FOR KIT CARS,
REBUILT CARS AND HOT RODS

4. Section 5 of the Regulation is amended by adding the following subsections:

(3) If a motor or motor vehicle is manufactured with a catalytic converter, no person shall alter or cause or permit the alteration of the motor or motor vehicle in a manner that permits exhaust emissions to bypass the catalytic converter.

(4) No person shall operate or cause or permit the operation of a motor or motor vehicle that was manufactured with a catalytic converter if the catalytic converter, or any replacement for the catalytic converter,

- (a) is not capable of performing the function for which the catalytic converter was intended; or
- (b) is disconnected, removed or otherwise altered so that it is not capable of performing the function for which the catalytic converter was intended.

5. (1) Subsection 6 (1) of the Regulation is amended by striking out "of a contaminant" in the third line.

(2) Subsection 6 (2) of the Regulation is amended by striking out "of a contaminant" in the third line.

6. The Regulation is amended by adding the following section after the heading that precedes section 7:

6.1 The following types of systems and devices are prescribed for the purpose of subsection 22 (4) of the Act:

1. A system or device that is manufactured by the manufacturer of the system or device that is being replaced and,
 - i. is identical to or equivalent to the system or device that is being replaced, or
 - ii. is manufactured as a replacement for the system or device that is being replaced.
2. A system or device that is approved by the Bureau of Automobile Repair, the California Air Resources Board, the United States Environmental Protection Agency or another body specified by the Director as a replacement for the system or device that is being replaced.

7. Subsection 7 (2) of the Regulation is revoked and the following substituted:

(2) If a passenger vehicle or light duty truck of a model year after 1997 is manufactured with an on-board diagnostic system designed to identify motor or emission control system problems and regulate motor or emission control system operations, no person shall, on or after January 1, 2001, operate or cause or permit the operation of the motor vehicle when the on-board diagnostic system is displaying or storing a fault code with respect to components or systems that could cause or contribute to an increase in emissions.

8. The heading preceding section 8 of the Regulation is struck out and the following substituted:

**TWO SPEED IDLE TEST GASOLINE FUELLED LIGHT VEHICLES
(AND OTHER FUELS EXCEPT DIESEL)**

9. Subsections 8 (3), (4) and (5) of the Regulation are revoked and the following substituted:

(3) The maximum emission standards set out in Table 8 of the Drive Clean Guide for motor vehicles of a model year and GVWR set out in that Table are prescribed for those vehicles.

(4) The procedure to be used for testing a motor vehicle's compliance with the maximum emission standards prescribed in this section is the preconditioned two speed idle test, as described in the Drive Clean Guide, or a test that the Director considers equivalent.

(5) The maximum emission standards prescribed in this section do not apply with respect to a motor vehicle if the design or configuration of the motor vehicle,

- (a) is incompatible with the performance of the tests referred to in subsection (4); or
- (b) would render the performance of the tests referred to in subsection (4) unsafe.

10. The heading preceding section 9 of the Regulation is struck out and the following substituted:

**DYNAMOMETER TEST
GASOLINE FUELLED LIGHT VEHICLES
(AND OTHER FUELS EXCEPT DIESEL)**

11. (1) Clause 9 (1) (c) of the Regulation is revoked and the following substituted:

- (c) with respect to a motor vehicle if the design or configuration of the motor vehicle,
 - (i) is incompatible with the performance of the tests referred to in this section, or

- (ii) would render the performance of the tests referred to in this section unsafe.

(2) Subsections 9 (3), (4), (5), (6) and (7) of the Regulation are revoked and the following substituted:

(3) For 1999 and 2000, the maximum emission standard set out in the applicable column of each of Tables 9-HC, 9-CO and 9-NOX of the Drive Clean Guide for motor vehicles of an equivalent test weight set out in each Table is prescribed for those vehicles in the Greater Toronto Area.

(4) For the purpose of subsection (3), the applicable column of Table 9-HC, 9-CO or 9-NOX of the Drive Clean Guide for a motor vehicle of a type and model year set out in Table 9-KEY of the Guide shall be determined in accordance with Table 9-KEY of the Guide.

(5) The procedure to be used for testing a motor vehicle's compliance with the maximum emission standards prescribed in subsection (3) is the ASM 2525 dynamometer test, as described in the Drive Clean Guide, or a test that the Director considers equivalent.

(6) For 2001 and 2002, the maximum emission standards prescribed for motor vehicles in subsection (7.1), multiplied by 1.30, are prescribed for those vehicles in the Greater Toronto Area and the urban and commuter areas.

(7) For 2003 and 2004, the maximum emission standards prescribed for motor vehicles in subsection (7.1), multiplied by 1.15, are prescribed for those vehicles in the Greater Toronto Area and the urban and commuter areas.

(7.1) For 2005 and subsequent years, the maximum emission standards set out in Table 9-TR of the Drive Clean Guide for motor vehicles of a class and model year set out in that Table are prescribed for those vehicles in the Greater Toronto Area and the urban and commuter areas.

(7.2) The procedure to be used for testing a motor vehicle's compliance with the maximum emission standards prescribed in subsection (6), (7) or (7.1) is the transient dynamometer test, as described in the Drive Clean Guide, or a test that the Director considers equivalent.

(7.3) If a maximum emission standard is prescribed for a motor vehicle in subsection (3), (6), (7) or (7.1), the following standards set out in the Drive Clean Guide are prescribed as additional maximum emission standards for the vehicle:

1. The fuel cap integrity standard.
2. The purge standard.
3. The canister-end pressure standard.
4. The fuel inlet pressure standard.

(7.4) The procedure to be used for testing a motor vehicle's compliance with a standard prescribed in subsection (7.3) is the test described for that standard in the Drive Clean Guide, or a test that the Director considers equivalent.

(7.5) The standards prescribed in paragraphs 2, 3 and 4 of subsection (7.3) do not apply in 1999 or 2000.

(3) Subsection 9 (10) of the Regulation is amended by striking out the portion before paragraph 1 and substituting the following:

(10) Despite subsection (9), a motor vehicle in the Greater Toronto Area in 1999 or 2000 or in the urban and commuter areas in 2001 and 2002 need not comply with the emission standards prescribed in this section if all of the following criteria are satisfied:

(4) Paragraph 2 of subsection 9 (10) of the Regulation is amended by adding "or" at the end of subparagraph i and by revoking subparagraph iii.

(5) Paragraph 3 of subsection 9 (10) of the Regulation is amended by striking out "36 days" in the first line and substituting "60 days".

(6) Subsection 9 (11) of the Regulation is amended by striking out the portion before paragraph 1 and substituting the following:

(11) Despite subsection (9), a motor vehicle in the Greater Toronto Area in 2001 or a subsequent year or in the urban and commuter areas in 2003 or a subsequent year need not comply with the emission standards prescribed in this section if all of the following criteria are satisfied:

(7) Paragraph 2 of subsection 9 (11) of the Regulation is revoked and the following substituted:

2. The vehicle is taken to two repair facilities that have been provided with a copy of the test results, and both repair facilities certify in writing that, in their professional opinion, it is not reasonably possible to correct the problem.

(8) Subsections 9 (13) and (14) of the Regulation are revoked and the following substituted:

(13) In subsections (10) and (11),

"repair facility" means a repair facility accredited by the Director as an Ontario Drive Clean repair facility.

12. The heading preceding section 10 of the Regulation is struck out and the following substituted:

TWO SPEED IDLE TEST
GASOLINE FUELLED HEAVY VEHICLES
(AND OTHER FUELS EXCEPT DIESEL)

13. Subsections 10 (3), (4), (5) and (6) of the Regulation are revoked and the following substituted:

(3) The maximum emission standards set out in Table 10 of the Drive Clean Guide for motor vehicles of a model year set out in that Table are prescribed for those vehicles.

(4) The procedure to be used for testing a motor vehicle's compliance with the maximum emission standards prescribed in this section is the preconditioned two speed idle test, as described in the Drive Clean Guide, or a test that the Director considers equivalent.

(5) The maximum emission standards prescribed in this section do not apply with respect to a motor vehicle if the design or configuration of the motor vehicle,

- (a) is incompatible with the performance of the tests referred to in subsection (4); or
- (b) would render the performance of the tests referred to in subsection (4) unsafe.

14. Subsections 11 (2) and (3) of the Regulation are revoked and the following substituted:

(2) The maximum emission standard set out in Table 11 of the Drive Clean Guide for a year is prescribed for motor vehicles in the Greater Toronto Area and the urban and commuter areas for that year.

(3) The procedure to be used for testing a motor vehicle's compliance with the maximum emission standard prescribed in this section for a year is the opacity test for diesel fuelled light vehicles for that year, as described in the Drive Clean Guide, or a test that the Director considers equivalent.

(3.1) The maximum emission standards prescribed in this section do not apply with respect to a motor vehicle if the design or configuration of the motor vehicle,

- (a) is incompatible with the performance of the applicable tests referred to in subsection (3); or
- (b) would render the performance of the applicable tests referred to in subsection (3) unsafe.

15. Subsections 12 (2) and (3) of the Regulation are revoked and the following substituted:

(2) The maximum emission standard set out in Table 12 of the Drive Clean Guide for motor vehicles of a model year set out in that Table is prescribed for those motor vehicles.

(3) The procedure to be used for testing a motor vehicle's compliance with the maximum emission standards prescribed in this section is the opacity test for diesel fuelled heavy vehicles, as described in the Drive Clean Guide, or a test that the Director considers equivalent.

16. Tables 1, 2, 3, 4, 5, 6, 7, 8 and 9 to the Regulation are revoked.

12/99

ONTARIO REGULATION 87/99 made under the FARM PRODUCTS MARKETING ACT

Made: March 1, 1999
Filed: March 2, 1999

Amending Reg. 428 of R.R.O. 1990
(Seed Corn—Plan)

Note: Regulation 428 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. The Schedule to Regulation 428 of the Revised Regulations of Ontario, 1990 is amended by adding the following sections:

8.1 (1) If the producers in a district fail to elect a member as required under section 8, the producers in the three districts shall together elect the number of producers required to complete membership on the local board.

(2) In an election held to complete membership on the local board, a producer from any district may be elected.

8.2 (1) If the producers fail to elect the required number of members by March 31 in a year under sections 8 and 8.1, the members of the local board may appoint from any district the number of producers required to complete the membership.

(2) Subject to section 8.3, a member of the local board shall hold office for two years.

8.3 (1) This section sets out the rules governing the term of office of members of the local board elected in 1999.

(2) The term of office of the member elected from District 1 is two years.

(3) The term of office of the members elected from District 2 is one year but the members may, in the alphabetical order of their surnames, choose a two-year term of office until two members have chosen a two-year term.

(4) The term of office of the member elected from District 3 is one year.

ONTARIO FARM PRODUCTS MARKETING COMMISSION:

D. W. TAYLOR
Chair

GLORIA MARCO BORYS
Secretary

Dated on February 22, 1999.

12/99

ONTARIO REGULATION 88/99
made under the
FISH AND WILDLIFE CONSERVATION ACT, 1997

Made: March 4, 1999
Filed: March 4, 1999

Amending O. Reg. 670/98
(Open Seasons—Wildlife)

Note: Ontario Regulation 670/98 has not previously been amended.

1. (1) Items 3.1, 3.2, 3.3, 3.4 and 3.5 of the Table to Ontario Regulation 670/98 are amended by striking out "From April 15 to June 15 and" in Column 3.

(2) Item 3.6 of the Table to the Regulation is amended by striking out "From April 15 to June 30 and" in Column 3.

JOHN C. SNOBELEN
Minister of Natural Resources

Dated on March 4, 1999.

12/99

Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1999—03—27

ONTARIO REGULATION 89/99 made under the ELECTRICITY ACT, 1998

Made: March 10, 1999
Filed: March 11, 1999

ELECTRICAL SAFETY AUTHORITY

1. Electrical Safety Authority, incorporated under the *Corporations Act* by letters patent dated January 12, 1999, is designated as the Electrical Safety Authority for the purposes of the *Electricity Act, 1998*.

13/99

ONTARIO REGULATION 90/99 made under the ONTARIO ENERGY BOARD ACT, 1998

Made: March 10, 1999
Filed: March 11, 1999

ELECTRICITY RETAILERS—LICENCE REQUIREMENTS

1. In this Regulation,

"residential or small business consumer" means a consumer who annually uses less than 150,000 kilowatt hours of electricity.

2. (1) An applicant for the issuance or renewal of a licence that allows for the retailing of electricity to residential or small business consumers must meet all of the following requirements:

1. Having regard to the financial position of the applicant, the applicant can reasonably be expected to be financially responsible in the conduct of business.
2. The past conduct of the applicant affords reasonable grounds for belief that the applicant will carry on business in accordance with law and with integrity and honesty.
3. If the applicant is a corporation, the past conduct of its officers and directors affords reasonable grounds for belief that its business will be carried on in accordance with law and with integrity and honesty.
4. The applicant is not carrying on activities that are, or will be, if the applicant is licensed, in contravention of the Act or the regulations or the rules made under Part III of the Act.
5. If the applicant is an individual, the applicant is at least 18 years old.

(2) If a requirement prescribed by subsection (1) is not met, the issuance or renewal of the licence shall be refused.

13/99

ONTARIO REGULATION 91/99 made under the POWER CORPORATION ACT

Made: February 19, 1999
Filed: March 11, 1999

Revoking O. Reg. 621/98
(Fees)

1. Ontario Regulation 621/98 is revoked.
2. This Regulation comes into force on the day subsection 113 (1) of the *Electricity Act, 1998* comes into force.

ONTARIO HYDRO:

R. W. OSBORNE
President and Chief Executive Officer

JOAN PRIOR
Acting Secretary

Dated on February 19, 1999.

13/99

ONTARIO REGULATION 92/99 made under the PLANNING ACT

Made: March 9, 1999
Filed: March 11, 1999

Amending O. Reg. 834/81
(Restricted Areas—District of Sudbury—Territorial
District of Sudbury)

Note: Since the end of 1997, Ontario Regulation 834/81 has been amended by Ontario Regulation 163/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Schedule 1 of Ontario Regulation 834/81 is amended by adding the following section:

163. (1) Despite subsection 4 (1) of the Order, the land described in subsection (5) shall be deemed to be in a Resort Commercial Zone.

(2) Despite sections 35 (1), (2), (3) and (5) of the Order, only a maximum of four (4) housekeeping cabins may be erected and used on the land described in subsection (5).

(3) A minimum of one parking space, for off-street vehicular parking, shall be provided on site for each housekeeping cabin.

(4) For the purposes of subsection 35 (4) of the Order, the mobile trailer existing on the lands described in subsection (5) on the date that this section comes into force shall be deemed to be a dwelling unit, and in the event that a replacement dwelling unit is constructed, the existing mobile trailer must be removed within 60 days of habitation of the replacement dwelling unit.

(5) This section applies to the parcel of land in the geographic Township of Sale in the Territorial District of Sudbury being location CL6422 designated as Part 1 on a Reference Plan 53R-13328 deposited in the Land Registry Office for the Land Titles Division of Sudbury (No. 53).

BARBARA KONYI

Manager

Provincial Planning and Environmental Services Branch
Ministry of Municipal Affairs and Housing

Dated on March 9, 1999.

13/99

ONTARIO REGULATION 93/99
made under the
PROVINCIAL OFFENCES ACT

Made: March 10, 1999
Filed: March 11, 1999

Amending Reg. 950 of R.R.O. 1990
(Proceedings Commenced by Certificate of Offence)

Note: Since the end of 1997, Regulation 950 has been amended by Ontario Regulations 148/98, 257/98, 399/98, 402/98 and 457/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Regulation 950 of the Revised Regulations of Ontario, 1990 is amended by adding the following Schedules:

Schedule 17.5

Fish and Wildlife Conservation Act, 1997

RÈGLEMENT DE L'ONTARIO 93/99
pris en application de la
LOI SUR LES INFRACTIONS PROVINCIALES

pris le 10 mars 1999
déposé le 11 mars 1999

modifiant le Règl. 950 des R.R.O. de 1990
(Instances introduites au moyen du dépôt d'un
procès-verbal d'infraction)

Remarque : Depuis la fin de 1997, le Règlement 950 a été modifié par les Règlements de l'Ontario 148/98, 257/98, 399/98, 402/98 et 457/98. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1997.

1. Le Règlement 950 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction des annexes suivantes :

ITEM	COLUMN 1	COLUMN 2
1.	Hunt specially protected mammal	clause 5 (1) (a)
2.	Hunt specially protected amphibian	clause 5 (1) (b)
3.	Hunt specially protected reptile	clause 5 (1) (c)
4.	Hunt specially protected invertebrate	clause 5 (1) (d)
5.	Hunt specially protected bird	clause 5 (1) (e)
6.	Hunt wild bird	clause 5 (1) (e)
7.	Trap specially protected mammal	clause 5 (1) (a)
8.	Trap specially protected amphibian	clause 5 (1) (b)
9.	Trap specially protected reptile	clause 5 (1) (c)
10.	Trap specially protected invertebrate	clause 5 (1) (d)
11.	Trap specially protected bird	clause 5 (1) (e)
12.	Trap wild bird	clause 5 (1) (e)
13.	Resident—hunt black bear without licence	clause 6 (1) (a)
14.	Resident—hunt white-tailed deer without a licence	clause 6 (1) (a)
15.	Resident—hunt moose without a licence	clause 6 (1) (a)
16.	Resident—hunt caribou without a licence	clause 6 (1) (a)
17.	Resident—hunt elk without licence	clause 6 (1) (a)
18.	Resident—hunt game mammal without licence	clause 6 (1) (b)
19.	Resident—hunt game bird without licence	clause 6 (1) (c)

ITEM	COLUMN 1	COLUMN 2
20.	Resident—hunt furbearing mammal without licence	clause 6 (1) (d)
21.	Resident—hunt game reptile without licence	clause 6 (1) (e)
22.	Resident—hunt game amphibian without licence	clause 6 (1) (f)
23.	Resident—hunt bird without licence	clause 6 (1) (g)
24.	Resident—hunt wildlife without licence	clause 6 (1) (h)
25.	Resident—trap black bear without licence	clause 6 (1) (a)
26.	Resident—trap game mammal without licence	clause 6 (1) (b)
27.	Resident—trap furbearing mammal without licence	clause 6 (1) (d)
28.	Resident—trap wildlife without licence	clause 6 (1) (h)
29.	Non-resident—hunt black bear without licence	clause 6 (1) (a)
30.	Non-resident—hunt white-tailed deer without a licence	clause 6 (1) (a)
31.	Non-resident—hunt moose without a licence	clause 6 (1) (a)
32.	Non-resident—hunt caribou without a licence	clause 6 (1) (a)
33.	Non-resident—hunt elk without licence	clause 6 (1) (a)
34.	Non-resident—hunt game mammal without licence	clause 6 (1) (b)
35.	Non-resident—hunt game bird without licence	clause 6 (1) (c)
36.	Non-resident—hunt furbearing mammal without licence	clause 6 (1) (d)
37.	Non-resident—hunt game reptile without licence	clause 6 (1) (e)
38.	Non-resident—hunt game amphibian without licence	clause 6 (1) (f)
39.	Non-resident—hunt bird without licence	clause 6 (1) (g)
40.	Non-resident—hunt wildlife without licence	clause 6 (1) (h)
41.	Non-resident—trap black bear without licence	clause 6 (1) (a)
42.	Non-resident—trap game mammal without licence	clause 6 (1) (b)
43.	Non-resident—trap furbearing mammal without licence	clause 6 (1) (d)
44.	Non-resident—trap wildlife without licence	clause 6 (1) (h)
45.	Unlawfully destroy egg of wild bird	subsection 7 (1)
46.	Unlawfully destroy nest of wild bird	subsection 7 (1)
47.	Unlawfully take egg of wild bird	subsection 7 (1)
48.	Unlawfully take nest of wild bird	subsection 7 (1)
49.	Unlawfully possess egg of wild bird	subsection 7 (1)
50.	Unlawfully possess nest of wild bird	subsection 7 (1)
51.	Unlawfully interfere with black bear in den	subsection 8 (1)
52.	Unlawfully damage black bear den	subsection 8 (1)
53.	Unlawfully damage dwelling of furbearing mammal	subsection 8 (2)
54.	Unlawfully damage beaver dam	subsection 8 (3)
55.	Unlawfully hunt wildlife in provincial park	subsection 9 (1)
56.	Unlawfully hunt wildlife in Crown game preserve	subsection 9 (1)
57.	Unlawfully trap wildlife in provincial park	subsection 9 (1)
58.	Unlawfully trap wildlife in Crown game preserve	subsection 9 (1)
59.	Unlawfully possess wildlife in provincial park	subsection 9 (1)
60.	Unlawfully possess wildlife in Crown game preserve	subsection 9 (1)
61.	Unlawfully possess firearm in provincial park	subsection 9 (2)
62.	Unlawfully possess firearm in Crown game preserve	subsection 9 (2)
63.	Unlawfully possess trap in provincial park	subsection 9 (2)

ITEM	COLUMN 1	COLUMN 2
64.	Unlawfully possess trap in Crown game preserve	subsection 9 (2)
65.	Unlawfully possess prohibited device in provincial park	subsection 9 (2)
66.	Unlawfully possess prohibited device in Crown game preserve	subsection 9 (2)
67.	Trespass for the purpose of hunting	clause 10 (1) (a)
68.	Trespass for the purpose of fishing	clause 10 (1) (a)
69.	Trespass in possession of firearm	clause 10 (1) (b)
70.	Trespass in possession of fishing rod	clause 10 (1) (b)
71.	Trespass in possession of other hunting or fishing device	clause 10 (1) (b)
72.	Hunt while trespassing	clause 10 (1) (c)
73.	Fish while trespassing	clause 10 (1) (c)
74.	Fail to leave premises when trespassing	clause 10 (1) (d)
75.	Fail to leave premises when trespassing	clause 10 (1) (e)
76.	Interfere with notice	subsection 10 (3)
77.	Trespass in party exceeding 12	subsection 10 (4)
78.	Unlawfully enter crops	subsection 10 (5)
79.	Unlawfully permit dog to enter crops	subsection 10 (5)
80.	Unlawfully trespass on Crown land	subsection 10 (6)
81.	Unlawfully hunt for gain	clause 11 (1) (a)
82.	Unlawfully hire a person to hunt for gain	clause 11 (1) (b)
83.	Unlawfully trap for gain	clause 11 (1) (c)
84.	Unlawfully hire a person to trap for gain	clause 11 (1) (d)
85.	Unlawfully pay bounty	clause 11 (1) (e)
86.	Unlawfully accept bounty	clause 11 (1) (e)
87.	Possess illegally killed wildlife	section 12
88.	Possess illegally injured wildlife	section 12
89.	Possess illegally captured wildlife	section 12
90.	Interfere with lawful hunting	subsection 13 (1)
91.	Interfere with lawful trapping	subsection 13 (1)
92.	Interfere with lawful fishing	subsection 13 (1)
93.	Unlawfully purport to give notice	subsection 13 (2)
94.	Hunt with firearm in unsafe area	section 14
95.	Fail to wear proper coloured clothing while hunting	section 15
96.	Fail to wear proper coloured clothing while trapping	section 15
97.	Use firearm carelessly to hunt	subsection 16 (1)
98.	Use firearm carelessly to trap	subsection 16 (1)
99.	Fail to report accident involving firearm	subsection 16 (2)
100.	Unlawfully have loaded firearm in vehicle	clause 17 (1) (a)
101.	Unlawfully discharge firearm from vehicle	clause 17 (1) (a)
102.	Unlawfully have loaded firearm in motorboat	clause 17 (1) (b)
103.	Unlawfully discharge firearm from motorboat	clause 17 (1) (b)
104.	Have loaded firearm in aircraft	clause 17 (1) (c)
105.	Discharge firearm from aircraft	clause 17 (1) (c)
106.	Unlawfully have loaded firearm in right of way in prescribed area	clause 17 (1) (d)
107.	Unlawfully discharge firearm in right of way in prescribed area	clause 17 (1) (d)

ITEM	COLUMN 1	COLUMN 2
108.	Unlawfully discharge firearm across right of way in prescribed area	clause 17 (1) (d)
109.	Unlawfully discharge firearm in travelled roadway	clause 17 (1) (e)
110.	Unlawfully discharge firearm across travelled roadway	clause 17 (1) (e)
111.	Use set firearm to hunt	section 18
112.	Hunt with shotgun not permanently plugged	section 19
113.	Unlawfully hunt at night	clause 20 (1) (a)
114.	Unlawfully possess firearm at night	clause 20 (1) (b)
115.	Unlawfully use light to hunt at night	clause 20 (1) (c)
116.	Unlawfully kill black bear by trap	subsection 21 (1)
117.	Unlawfully kill white-tailed deer by trap	subsection 21 (1)
118.	Unlawfully kill moose by trap	subsection 21 (1)
119.	Unlawfully kill caribou by trap	subsection 21 (1)
120.	Unlawfully kill elk by trap	subsection 21 (1)
121.	Unlawfully capture black bear by trap	subsection 21 (1)
122.	Unlawfully capture white-tailed deer by trap	subsection 21 (1)
123.	Unlawfully capture moose by trap	subsection 21 (1)
124.	Unlawfully capture caribou by trap	subsection 21 (1)
125.	Unlawfully capture elk by trap	subsection 21 (1)
126.	Unlawfully injure black bear by trap	subsection 21 (1)
127.	Unlawfully injure white-tailed deer by trap	subsection 21 (1)
128.	Unlawfully injure moose by trap	subsection 21 (1)
129.	Unlawfully injure caribou by trap	subsection 21 (1)
130.	Unlawfully injure elk by trap	subsection 21 (1)
131.	Kill game bird by trap	subsection 21 (3)
132.	Capture game bird by trap	subsection 21 (3)
133.	Injure game bird by trap	subsection 21 (3)
134.	Unlawfully use body-gripping trap	subsection 22 (1)
135.	Hunt black bear that is swimming	section 23
136.	Hunt white-tailed deer that is swimming	section 23
137.	Hunt moose that is swimming	section 23
138.	Hunt caribou that is swimming	section 23
139.	Hunt elk that is swimming	section 23
140.	Use vehicle to harass	subsection 24 (1)
141.	Unlawfully use boat to harass	subsection 24 (2)
142.	Unlawfully use aircraft while hunting	subsection 24 (3)
143.	Hunt black bear with unlicensed dog	subsection 25 (1)
144.	Hunt white-tailed deer with unlicensed dog	subsection 25 (1)
145.	Hunt moose with unlicensed dog	subsection 25 (1)
146.	Hunt black bear with dog in prescribed area	subsection 25 (2)
147.	Hunt white-tailed deer with dog in prescribed area	subsection 25 (2)
148.	Hunt moose with dog in prescribed area	subsection 25 (2)
149.	Permit dog to be at large in prescribed area during open season	clause 25 (3) (a)
150.	Permit dog to be at large during closed season	clause 25 (3) (b)
151.	Unlawfully use dogs to chase wildlife during closed season	section 26

ITEM	COLUMN 1	COLUMN 2
152.	Unlawfully hunt with specially protected raptor	subsection 27 (1)
153.	Unlawfully hunt with bird of prey	subsection 27 (1)
154.	Hunt with ferret	section 28
155.	Unlawfully use poison	subsection 29 (1)
156.	Unlawfully use adhesives	subsection 30 (1)
157.	Kill more wildlife than necessary	subsection 31 (4)
158.	Cause wildlife unnecessary suffering	subsection 31 (5)
159.	Fail to dispose of wildlife as directed	subsection 31 (10)
160.	Act as guide without licence	clause 32 (2) (a)
161.	Provide black bear hunting services without licence	clause 32 (2) (b)
162.	Use unlicensed guide	subsection 32 (4)
163.	Use unlicensed person to provide black bear hunting services	subsection 32 (4)
164.	Guide unlicensed person	subsection 32 (5)
165.	Provide black bear hunting services to unlicensed person	subsection 32 (5)
166.	Own game bird hunting preserve without licence	subsection 33 (1)
167.	Operate game bird hunting preserve without licence	subsection 33 (1)
168.	Own fishing preserve without licence	subsection 34 (1)
169.	Operate fishing preserve without licence	subsection 34 (1)
170.	Unlawfully own wildlife enclosure	subsection 35 (1)
171.	Unlawfully operate wildlife enclosure	subsection 35 (1)
172.	Abandon flesh suitable for food	subsection 36 (1)
173.	Waste flesh suitable for food	subsection 36 (2)
174.	Unlawfully abandon pelt of furbearing mammal	subsection 36 (3)
175.	Unlawfully permit pelt of furbearing mammal to be destroyed	subsection 36 (3)
176.	Unlawfully abandon flesh of fish suitable for food	clause 36 (5) (a)
177.	Unlawfully waste flesh of fish suitable for food	clause 36 (5) (b)
178.	Unlawfully possess fish net	subsection 37 (1)
179.	Unlawfully sell fish net	subsection 37 (2)
180.	Unlawfully keep live game wildlife	subsection 40 (1)
181.	Unlawfully keep live specially protected wildlife	subsection 40 (1)
182.	Unlawfully hunt game wildlife to keep it in captivity	subsection 40 (4)
183.	Unlawfully trap game wildlife to keep it in captivity	subsection 40 (4)
184.	Unlawfully hunt specially protected wildlife to keep it in captivity	subsection 40 (4)
185.	Unlawfully trap specially protected wildlife to keep it in captivity	subsection 40 (4)
186.	Unlawfully hunt farmed animal	clause 41 (1) (a)
187.	Unlawfully permit hunting of farmed animal	clause 41 (1) (a)
188.	Unlawfully hunt wildlife in captivity	clause 41 (1) (b)
189.	Unlawfully permit hunting of wildlife in captivity	clause 41 (1) (b)
190.	Fail to mark specially protected raptor	section 42
191.	Fail to mark prescribed bird of prey	section 42
192.	Fail to keep records	section 42
193.	Fail to surrender wildlife in custodian's possession	subsection 44 (5)
194.	Unlawfully offer to propagate wildlife	subsection 45 (1)
195.	Unlawfully propagate wildlife	subsection 45 (1)

ITEM	COLUMN 1	COLUMN 2
196.	Unlawfully possess wildlife for propagation	subsection 45 (1)
197.	Unlawfully release farmed animal	clause 46 (1) (a)
198.	Unlawfully release captive wildlife	clause 46 (1) (b)
199.	Fail to ensure farmed animal does not escape	subsection 46 (2)
200.	Fail to ensure wildlife does not escape	subsection 46 (2)
201.	Fail to notify Minister of escape or release	clause 46 (3) (a)
202.	Unlawfully fail to carry out obligations on escape or release	clause 46 (3) (b)
203.	Unlawfully engage in aquaculture	subsection 47 (1)
204.	Unlawfully buy game wildlife	subsection 48 (1)
205.	Unlawfully sell game wildlife	subsection 48 (1)
206.	Unlawfully buy specially protected wildlife	subsection 48 (1)
207.	Unlawfully sell specially protected wildlife	subsection 48 (1)
208.	Unlawfully buy pelts	subsection 48 (1)
209.	Unlawfully sell pelts	subsection 48 (1)
210.	Unlawfully sell animal represented as wildlife	section 49
211.	Unlawfully sell invertebrate represented as specially protected invertebrate	section 49
212.	Unlawfully possess black bear gall bladder	section 50
213.	Unlawfully buy fish	subsection 51 (1)
214.	Unlawfully sell fish	subsection 51 (1)
215.	Unlawfully list wildlife on menu	subsection 52 (1)
216.	Unlawfully list fish on menu	subsection 52 (1)
217.	Unlawfully charge for serving wildlife	subsection 52 (1)
218.	Unlawfully charge for serving fish	subsection 52 (1)
219.	Unlawfully import wildlife	section 53
220.	Unlawfully release imported wildlife	subsection 54 (1)
221.	Unlawfully release imported invertebrate	subsection 54 (1)
222.	Unlawfully release wildlife propagated from imported stock	subsection 54 (1)
223.	Unlawfully release invertebrate propagated from imported stock	subsection 54 (1)
224.	Fail to ensure imported wildlife does not escape	subsection 54 (2)
225.	Fail to ensure imported invertebrate does not escape	subsection 54 (2)
226.	Fail to ensure wildlife propagated from imported stock does not escape	subsection 54 (2)
227.	Fail to ensure invertebrate propagated from imported stock does not escape	subsection 54 (2)
228.	Unlawfully fail to notify Minister of escape or release	clause 54 (3) (a)
229.	Unlawfully fail to carry out obligations on escape or release	clause 54 (3) (b)
230.	Unlawfully export wildlife	subsection 55 (1)
231.	Unlawfully export wildlife for sale	subsection 55 (3)
232.	Unlawfully export wildlife for propagation	subsection 55 (3)
233.	Transport wildlife unlawfully killed, captured or possessed	section 56
234.	Transport fish unlawfully taken or possessed	section 56
235.	Transport unmarked container	subsection 57 (1)
236.	Unlawfully possess wildlife from another jurisdiction	subsection 58 (1)
237.	Unlawfully possess invertebrates from another jurisdiction	subsection 58 (1)
238.	Unlawfully possess fish from another jurisdiction	subsection 58 (1)
239.	Sell wildlife from another jurisdiction where sale is prohibited	subsection 58 (2)

ITEM	COLUMN 1	COLUMN 2
240.	Offer to sell wildlife from another jurisdiction where sale is prohibited	subsection 58 (2)
241.	Sell invertebrate from another jurisdiction where sale is prohibited	subsection 58 (2)
242.	Offer to sell invertebrate from another jurisdiction where sale is prohibited	subsection 58 (2)
243.	Unlawfully possess imported pelts	section 59
244.	Unlawfully remove seal or mark from imported pelts	section 59
245.	Unlawfully fail to comply with licence issuing manual	subsection 61 (2)
246.	Fail to comply with conditions of licence	subsection 62 (5)
247.	Fail to comply with conditions of authorization	subsection 62 (5)
248.	Unlawfully hold more than one licence to hunt black bear	clause 63 (1) (a)
249.	Unlawfully hold more than one licence to hunt white-tailed deer	clause 63 (1) (b)
250.	Unlawfully hold more than one licence to hunt moose	clause 63 (1) (c)
251.	Unlawfully hold more than one licence to hunt caribou	clause 63 (1) (d)
252.	Unlawfully hold more than one licence to hunt elk	clause 63 (1) (e)
253.	Unlawfully issue licence to a minor	subsection 64 (1)
254.	Hunt without having licence on your person	section 66
255.	Hunt without having authorization on your person	section 66
256.	Trap without having licence on your person	section 66
257.	Trap without having authorization on your person	section 66
258.	Fish without having licence on your person	section 66
259.	Fish without having authorization on your person	section 66
260.	Fail to produce licence for conservation officer	section 67
261.	Fail to produce authorization for conservation officer	section 67
262.	Unlawfully transfer licence	clause 68 (1) (a)
263.	Unlawfully buy licence	clause 68 (1) (b)
264.	Unlawfully sell licence	clause 68 (1) (b)
265.	Unlawfully use another person's licence	subsection 68 (2)
266.	Enable someone to unlawfully use licence	subsection 68 (4)
267.	Possess incomplete licence	section 69
268.	Possess void licence	subsection 70 (3)
269.	Possess void authorization	subsection 70 (3)
270.	Use void licence	subsection 70 (3)
271.	Use void authorization	subsection 70 (3)
272.	Display void licence	subsection 70 (3)
273.	Display void authorization	subsection 70 (3)
274.	Permit void licence to be displayed	subsection 70 (3)
275.	Permit void authorization to be displayed	subsection 70 (3)
276.	Fail to surrender void licence	subsection 70 (4)
277.	Fail to surrender void authorization	subsection 70 (4)
278.	Unlawfully hunt without municipal licence	subsection 79 (3)
279.	Fail to submit document in required form	subsection 82 (2)
280.	Make a false statement in a document	subsection 82 (3)
281.	Fail to pay fees	subsection 83 (3)
282.	Fail to pay royalties	subsection 83 (3)
283.	Fail to stop for conservation officer	subsection 89 (2)

ITEM	COLUMN 1	COLUMN 2
284.	Fail to produce things for inspection	subsection 89 (2)
285.	Fail to provide information during inspection	subsection 90 (8)
286.	Make a false statement to a conservation officer	clause 96 (a)
287.	Obstruct conservation officer	clause 96 (b)
288.	Fail to surrender cancelled licence	subsection 104 (5)

Schedule 17.6

Ontario Regulation 664/98 under the
Fish and Wildlife Conservation Act, 1997

ITEM	COLUMN 1	COLUMN 2
1.	Fail to notify the Ministry of change of information	subsection 3 (3)
2.	Apply for more than one outdoors card	subsection 3 (6)
3.	Possess more than one outdoors card	subsection 3 (6)
4.	Fail to make daily return	clause 14 (1) (a)
5.	Fail to make monthly return	clause 14 (1) (b)
6.	Fail to make return for sale of fish	clause 14 (1) (c)
7.	Fail to make annual bait fish return	subsection 14 (4)
8.	Submit more than one application	subsection 16 (3)
9.	Possess more than one tag	subsection 16 (3)
10.	Fail to affix tag	subsection 16 (4)
11.	Fail to attach seal to jaw of lake trout	subsection 16 (5)
12.	Fail to keep seal attached to jaw of lake trout	subsection 16 (5)
13.	Fail to report fish collected	subsection 17 (2)
14.	Fail to forward annual report	subsection 17 (3)
15.	Fail to immediately report diseased fish	subsection 22 (1)
16.	Unlawfully sell diseased fish	subsection 22 (2)
17.	Unlawfully dispose of diseased fish	subsection 22 (2)
18.	Stock diseased fish	section 27
19.	Fail to make royalty payment	subsection 34 (2)
20.	Place fishing hut on ice with number not displayed	subsection 37 (1)
21.	Occupy fishing hut on ice with number not displayed	subsection 37 (1)
22.	Place fishing hut on ice after removal date	section 38
23.	Use fishing hut on ice after removal date	section 38
24.	Occupy fishing hut on ice after removal date	section 38
25.	Leave fishing hut on ice after removal date	section 38

Schedule 17.7

Ontario Regulation 665/98 under the
Fish and Wildlife Conservation Act, 1997

ITEM	COLUMN 1	COLUMN 2
1.	Apply for more than one outdoors card	subsection 6 (1)
2.	Possess more than one outdoors card	subsection 6 (1)
3.	Fail to notify the Ministry of change of information	subsection 6 (2)
4.	Fail to return outdoors card	subsection 6 (3)
5.	Fail to ensure apprentice is in compliance	subsection 11 (1)

ITEM	COLUMN 1	COLUMN 2
6.	Unlawfully apply for re-examination for hunting licence	subsection 12 (4)
7.	Fail to immediately attach seal to moose	clause 17 (1) (a)
8.	Fail to immediately attach seal to deer	clause 17 (1) (a)
9.	Fail to immediately attach seal to bear	clause 17 (1) (a)
10.	Fail to immediately attach seal to wild turkey	clause 17 (1) (a)
11.	Fail to properly attach seal to moose	clause 17 (1) (a)
12.	Fail to properly attach seal to deer	clause 17 (1) (a)
13.	Fail to properly attach seal to bear	clause 17 (1) (a)
14.	Fail to properly attach seal to wild turkey	clause 17 (1) (a)
15.	Transport moose without seal attached	clause 17 (1) (b)
16.	Transport deer without seal attached	clause 17 (1) (b)
17.	Transport bear without seal attached	clause 17 (1) (b)
18.	Transport wild turkey without seal attached	clause 17 (1) (b)
19.	Fail to keep seal attached to wild turkey	clause 17 (1) (b)
20.	Unlawfully attach seal to bull moose	subsection 17 (2)
21.	Unlawfully attach seal to cow moose	subsection 17 (2)
22.	Unlawfully attach seal to antlerless deer	subsection 17 (2)
23.	Fail to provide information required on seal	section 18
24.	Unlawfully possess another person's seal	section 19
25.	Attach seal to moose killed by another person	section 20
26.	Attach seal to deer killed by another person	section 20
27.	Attach seal to bear killed by another person	section 20
28.	Attach seal to wild turkey killed by another person	section 20
29.	Unlawfully hunt deer in a party in a designated WMU	subsection 24 (1)
30.	Non-resident—unlawfully hunt moose in a party	subsection 24 (2)
31.	Unlawfully hunt moose in a party in WMU 11B	subsection 24 (3)
32.	Non-resident—unlawfully hunt bear in a party	subsection 24 (4)
33.	Hunt moose during the closed season	subsection 25 (2)
34.	Hunt deer during the closed season	subsection 25 (2)
35.	Hunt bear during the closed season	subsection 25 (2)
36.	Hunt caribou during the closed season	subsection 25 (2)
37.	Hunt elk during the closed season	subsection 25 (2)
38.	Hunt game bird during the closed season	subsection 25 (2)
39.	Hunt wild turkey during the closed season	subsection 25 (2)
40.	Hunt small game during the closed season	subsection 25 (2)
41.	Hunt cottontail during the closed season	subsection 25 (2)
42.	Hunt varying hare during the closed season	subsection 25 (2)
43.	Hunt European hare during the closed season	subsection 25 (2)
44.	Hunt gray (black) squirrel during the closed season	subsection 25 (2)
45.	Hunt fox squirrel during the closed season	subsection 25 (2)
46.	Hunt bullfrog during the closed season	subsection 25 (2)
47.	Hunt snapping turtle during the closed season	subsection 25 (2)
48.	Hunt furbearing mammal during closed season	subsection 25 (2)
49.	Kill more small game than limit	subsection 25 (3)

ITEM	COLUMN 1	COLUMN 2
50.	Capture more small game than limit	subsection 25 (3)
51.	Possess more small game than limit	subsection 25 (3)
52.	Hunt small game during prohibited time of day	subsection 25 (4)
53.	Fail to wear hunter orange while hunting	subsection 26 (1)
54.	Unlawfully hunt wild turkey	subsection 32 (1)
55.	Possess more than two licences to hunt wild turkey	subsection 33 (1)
56.	Fail to register wild turkey	subsection 33 (2)
57.	Unlawfully kill more than one wild turkey	subsection 33 (3)
58.	Kill more than two wild turkeys	subsection 33 (5)
59.	Possess more than two wild turkeys	subsection 33 (5)
60.	Hunt bullfrogs in prohibited area	subsection 38 (1)
61.	Hunt frogs in Nogies Creek	subsection 38 (2)
62.	Unlawfully remove upper shell of snapping turtle	section 39
63.	Unlawfully kill more than one deer	clause 43 (1) (a)
64.	Unlawfully kill more than two deer	clause 43 (1) (b)
65.	Unlawfully hunt deer in WMU 82C	subsection 44 (1)
66.	Unlawfully hunt deer in WMU 93C	subsection 44 (1)
67.	Fail to affix validation tag to licence	subsection 45 (1)
68.	Unlawfully hunt antlerless deer without validation tag	subsection 45 (2)
69.	Unlawfully apply for more than one tag	subsection 45 (3)
70.	Unlawfully possess more than one tag	subsection 45 (3)
71.	Unlawfully hunt deer in controlled deer hunt without validation tag	subsection 46 (1)
72.	Contravene conditions of tag	subsection 46 (2)
73.	Fail to carry controlled deer hunt tag	subsection 46 (3)
74.	Unlawfully possess more than one tag	subsection 46 (4)
75.	Fail to park in designated area for WMU 82C deer hunt	clause 47 (a)
76.	Fail to report	clause 47 (b)
77.	Fail to produce deer for inspection	clause 47 (b)
78.	Fail to return completed questionnaire	subsection 48 (1)
79.	Unlawfully kill more than one moose	section 51
80.	Resident—fail to affix validation tag to licence	subsection 52 (4)
81.	Non-resident—fail to affix validation tag to licence	subsection 53 (2)
82.	Fail to be registered guest of tourist outfitter	subsection 53 (7)
83.	Unlawfully issue validation tag	subsection 53 (8)
84.	Unlawfully apply for more than one tag	clause 53 (9) (a)
85.	Unlawfully possess more than one tag	clause 53 (9) (b)
86.	Unlawfully hunt bull moose without validation tag	subsection 54 (1)
87.	Unlawfully hunt cow moose without validation tag	subsection 54 (1)
88.	Fail to return completed questionnaire	subsection 55 (4)
89.	Unlawfully kill more than one bear	section 58
90.	Landowner—unlawfully hunt bear in WMU	subsection 60 (3)
91.	Unlawfully issue certificate	subsection 60 (5)
92.	Unlawfully issue certificate to non-resident	subsection 60 (7)
93.	Unlawfully issue certificate to non-resident	subsection 60 (8)

ITEM	COLUMN 1	COLUMN 2
94.	Fail to give original copy to applicant	clause 60 (9) (a)
95.	Fail to complete certificate	clause 60 (9) (b)
96.	Fail to present copy of certificate to hunter at end of hunt	clause 60 (9) (c)
97.	Fail to retain duplicate copy	clause 60 (9) (d)
98.	Fail to return copy of certificate	clause 60 (9) (e)
99.	Fail to return unissued certificate	clause 60 (9) (f)
100.	Fail to submit completed report	subsection 60 (11)
101.	Unlawfully shoot cub	subsection 61 (1)
102.	Unlawfully shoot female bear	subsection 61 (1)
103.	Hunt bear within 400 metres of dump	section 62
104.	Unlawfully possess firearm	clause 64 (a)
105.	Unlawfully use firearm	clause 64 (b)
106.	Unlawfully possess loaded firearm	subsection 65 (1)
107.	Unlawfully possess loaded firearm within 8 metres of road	subsection 65 (2)
108.	Unlawfully carry firearm for hunting on Sunday	subsection 66 (1)
109.	Unlawfully discharge firearm for hunting on Sunday	subsection 66 (1)
110.	Possess prohibited ammunition	subsection 67 (1)
111.	Unlawfully possess rifle greater than .22 calibre	subsection 67 (2)
112.	Unlawfully use firearm during bow hunt	section 69
113.	Unlawfully carry firearm during bow hunt	section 69
114.	Use illegal firearm during moose hunt	section 70
115.	Carry illegal firearm during moose hunt	section 70
116.	Use illegal firearm during deer hunt	section 70
117.	Carry illegal firearm during deer hunt	section 70
118.	Use illegal firearm during deer hunt	section 71
119.	Carry illegal firearm during deer hunt	section 71
120.	Use illegal firearm during deer hunt	section 72
121.	Carry illegal firearm during deer hunt	section 72
122.	Use illegal firearm during deer hunt	section 73
123.	Carry illegal firearm during deer hunt	section 73
124.	Use illegal firearm during deer hunt	section 74
125.	Carry illegal firearm during deer hunt	section 74
126.	Use rim-fire rifle when hunting big game	section 75
127.	Unlawfully use shotgun when hunting big game	section 75
128.	Use prohibited shot when hunting big game	section 75
129.	Hunt pheasant with rifle	section 76
130.	Unlawfully possess rifle greater than .22 calibre	clause 77 (1) (a)
131.	Unlawfully use rifle greater than .22 calibre	clause 77 (1) (a)
132.	Unlawfully possess prohibited shells	clause 77 (1) (b)
133.	Unlawfully use prohibited shells	clause 77 (1) (b)
134.	Carry rifle greater than .275 calibre	section 78
135.	Use rifle greater than .275 calibre	section 78
136.	Hunt wild turkey with illegal firearm	section 79
137.	Carry other than .22 calibre when hunting raccoon at night	clause 80 (a)

ITEM	COLUMN 1	COLUMN 2
138.	Use other than .22 calibre when hunting raccoon at night	clause 80 (a)
139.	Unlawfully possess firearm in a vehicle	clause 80 (b)
140.	Unlawfully possess firearm in a boat	clause 80 (b)
141.	Hunt with prohibited crossbow	clause 82 (a)
142.	Possess prohibited crossbow	clause 82 (a)
143.	Hunt with prohibited bow	clause 82 (b)
144.	Possess prohibited bow	clause 82 (b)
145.	Hunt with prohibited arrow	clause 82 (c)
146.	Possess prohibited arrow	clause 82 (c)
147.	Hunt with prohibited bolt	clause 82 (d)
148.	Possess prohibited bolt	clause 82 (d)
149.	Hunt big game with weapon other than firearm	section 83
150.	Unlawfully hunt bullfrog with a firearm	subsection 84 (1)
151.	Unlawfully hunt turtle	section 85
152.	Unlawfully capture turtle	section 85
153.	Hunt raccoon without licensed dog	section 87
154.	Unlawfully kill red fox	clause 90 (2) (a)
155.	Unlawfully capture red fox	clause 90 (2) (a)
156.	Unlawfully possess firearm	clause 90 (2) (b)
157.	Unlawfully use firearm	clause 90 (2) (b)
158.	Use unauthorized number of dogs	clause 90 (2) (c)
159.	Be accompanied by unauthorized number of dogs	clause 90 (2) (c)
160.	Non-resident—hunt deer without guide	clause 94 (3) (a)
161.	Non-resident—hunt moose without guide	clause 94 (3) (a)
162.	Non-resident—hunt deer without minimum number of guides	clause 94 (3) (b)
163.	Non-resident—hunt moose without minimum number of guides	clause 94 (3) (b)
164.	Unlawfully remove game bird from preserve	subsection 99 (1)
165.	Fail to retain statement	subsection 99 (2)
166.	Fail to deliver statement	subsection 99 (3)
167.	Unlawfully hunt in area set out in Schedule	section 104
168.	Fail to hunt from rented site	subsection 109 (2)
169.	Erect blind for rent	section 116
170.	Erect blind without authority	subsection 117 (2)
171.	Unlawfully hunt in Bruton and Clyde	subsection 120 (1)
172.	Fail to return completed questionnaire	subsection 120 (2)
173.	Unlawfully hunt in special hunting area	subsection 121 (1)
174.	Unlawfully hunt in Hullett Hunting Area	subsection 123 (3)
175.	Unlawfully enter Beaver Meadow Hunting Area	section 124
176.	Unlawfully leave Beaver Meadow Hunting Area	section 124
177.	Unlawfully enter Camden Lake Hunting Area	section 124
178.	Unlawfully leave Camden Lake Hunting Area	section 124
179.	Fail to report bear that was killed	subsection 130 (1)
180.	Fail to provide required information on bear that was killed	subsection 130 (2)
181.	Agent—use firearm without qualifications	subsection 132 (2)

ITEM	COLUMN 1	COLUMN 2
182.	Fail to release live wildlife	clause 133 (1) (a)
183.	Fail to deliver wildlife to custodian	clause 133 (1) (b)
184.	Release wildlife without landowner permission	subsection 133 (2)

Schedule 17.8

Ontario Regulation 666/98 under the
Fish and Wildlife Conservation Act, 1997

ITEM	COLUMN 1	COLUMN 2
1.	Fail to report acquisition of carcass of bear	subsection 2 (1)
2.	Fail to report acquisition of carcass of caribou	subsection 2 (1)
3.	Fail to report acquisition of carcass of deer	subsection 2 (1)
4.	Fail to report acquisition of carcass of elk	subsection 2 (1)
5.	Fail to report acquisition of carcass of moose	subsection 2 (1)
6.	Fail to report acquisition of specially protected raptor	subsection 2 (2)
7.	Fail to register specially protected raptor	subsection 2 (2)
8.	Fail to report acquisition of carcass of furbearing mammal	subsection 2 (3)
9.	Unlawfully possess pelt	subsection 3 (1)
10.	Unlawfully possess pelt during the closed season	subsection 3 (5)
11.	Fail to retain documents with respect to farmed animals that are furbearing mammals	subsection 4 (1)
12.	Fail to prepare documents with respect to farmed animals that are furbearing mammals as required	subsection 4 (2)
13.	Tan pelts without a licence	subsection 5 (1)
14.	Pluck pelts without a licence	subsection 5 (1)
15.	Treat pelts without a licence	subsection 5 (1)
16.	Fur dealer—accept pelts for tanning from a person without a licence	subsection 5 (4)
17.	Fur dealer—fail to obtain licence to send pelts to a tanner	subsection 5 (5)
18.	Fur dealer—fail to mail licence to send pelts to a tanner	subsection 5 (5)
19.	Send pelt to a tanner without holding required licence	subsection 6 (1)
20.	Fur dealer—unlawfully sell pelts	section 9
21.	Farmer—fail to complete season-end harvest report	subsection 11 (1)
22.	Farmer—fail to submit season-end harvest report	subsection 11 (1)
23.	Farmer—fail to produce licence to sell pelts at time of sale	subsection 11 (2)
24.	Sell pelt of furbearing mammal killed under small game licence without producing licence	subsection 12 (3)
25.	Trapper—fail to produce licence at time of sale	section 13
26.	Trapper—unlawfully sell more pelts than are specified in required licence	section 14
27.	Farmer—unlawfully sell more pelts than are specified in required licence	section 14
28.	Unlawfully sell pelts of furbearing mammal killed during the closed season	subsection 15 (1)
29.	Fur dealer—unlawfully buy pelts	subsection 16 (1)
30.	Unlawfully accept delivery of pelts in Ontario	subsection 17 (2)
31.	Unlawfully sell pelts bought at a fur auction house	subsection 17 (2)
32.	Fur dealer—unlawfully register to buy pelts	subsection 17 (3)
33.	Register to buy pelts before July 1	subsection 17 (5)
34.	Fur dealer—fail to record transaction	subsection 18 (1)
35.	Fur dealer—fail to submit records	clause 18 (2) (a)
36.	Fur dealer—fail to retain records	clause 18 (2) (b)

ITEM	COLUMN 1	COLUMN 2
37.	Fur dealer—fail to make nil return	subsection 18 (4)
38.	Fur dealer—fail to keep required document recording buying of farmed animals	subsection 18 (5)
39.	Taxidermist—fail to keep records	section 19
40.	Seller—fail to make invoice of sale of furbearing mammal carcass	subsection 20 (7)
41.	Unlawfully buy carcass of furbearing mammal for consumption	subsection 20 (8)
42.	Unlawfully sell carcass of furbearing mammal for consumption	subsection 20 (8)
43.	Sell furbearing mammal carcass without required written advice	subsection 20 (9)
44.	Hide and cast antlers dealer—fail to keep record of buying	subsection 24 (1)
45.	Hide and cast antlers dealer—fail to keep required record	subsection 24 (2)
46.	Seller—fail to give required invoice of sale of game bird	subsection 26 (1)
47.	Seller—fail to retain invoice of sale	subsection 26 (2)
48.	Buyer—fail to retain invoice of purchase of live bird	subsection 26 (3)
49.	Buyer—fail to retain invoice of purchase of pheasant carcass	subsection 26 (4)
50.	Seller—fail to give invoice of sale of bullfrog	subsection 28 (2)
51.	Seller—fail to retain invoice of sale of bullfrogs	subsection 28 (3)
52.	Seller—fail to make annual report of sale of bullfrogs	subsection 28 (4)
53.	Seller—fail to submit annual report of sale of bullfrogs	subsection 28 (4)
54.	Transport bear out of Ontario without permit	clause 30 (1) (a)
55.	Transport deer out of Ontario without permit	clause 30 (1) (a)
56.	Transport moose out of Ontario without permit	clause 30 (1) (a)
57.	Transport furbearing mammal out of Ontario without permit	clause 30 (1) (b)
58.	Transport pelt out of Ontario without permit	clause 30 (1) (b)
59.	Dealer—transport hides out of Ontario without a permit	clause 30 (1) (a)
60.	Dealer—transport cast antlers out of Ontario without a permit	clause 30 (1) (a)
61.	Non-resident—unlawfully transport out of Ontario more game wildlife than permitted	subsection 30 (3)
62.	Transport furbearing mammal without paying required royalty	subsection 32 (1)

Schedule 17.9

Ontario Regulation 667/98 under the
Fish and Wildlife Conservation Act, 1997

ITEM	COLUMN 1	COLUMN 2
1.	Unlawfully trap black bear	section 2
2.	Unlawfully trap furbearing mammal	section 2
3.	Unlawfully kill more furbearing mammals than fixed by licence	section 6
4.	Unlawfully kill more black bear than fixed by licence	section 6
5.	Fail to ensure compliance by helper trapper	subsection 10 (2)
6.	Unlawfully exceed head trapper's quota	subsection 10 (4)
7.	Fail to complete report	subsection 13 (1)
8.	Fail to provide information as required in report	subsection 13 (2)
9.	Fail to complete information in report at season end	subsection 13 (3)
10.	Fail to submit report on time	subsection 13 (4)
11.	Unlawfully hold trapping licence and farmer's licence	subsection 14 (1)
12.	Unlawfully hold fur dealer's licence and trapping licence	subsection 15 (1)
13.	Unlawfully hold fur dealer's licence and farmer's licence	subsection 15 (1)
14.	Unlawfully hold trapping licence and keep farmed animals	clause 15 (2) (a)

ITEM	COLUMN 1	COLUMN 2
15.	Unlawfully keep farmed animals and hold farmer's licence	clause 15 (2) (b)
16.	Unlawfully keep farmed animals and hold fur dealer's licence	clause 15 (2) (c)
17.	Use trap that can impale furbearing mammal	clause 17 (a)
18.	Unlawfully use a spring pole set	clause 17 (b)
19.	Use deadfall	clause 17 (c)
20.	Use a trap with teeth on jaws	clause 17 (d)
21.	Unlawfully use suspended snare	clause 17 (e)
22.	Unlawfully use Number 110 Conibear or similar trap	clause 17 (f)
23.	Unlawfully use trap with jaw spread greater than 21 centimeters	clause 17 (g)
24.	Unlawfully set a leg-hold trap for a furbearing mammal	subsection 19 (1)
25.	Trap black bear with unauthorized trap	section 20
26.	Fail to release black bear cub	section 21
27.	Fail to release female black bear	section 21
28.	Unlawfully trap black bear within 400 meters of dump site	section 22
29.	Unlawfully set leg-hold trap	section 23
30.	Use leg-hold trap with jaw spread greater than 17 cm. on land	clause 24 (1) (a)
31.	Use leg-hold trap with jaw spread greater than 21 cm. in water	clause 24 (1) (b)
32.	Use leg-hold trap with chain longer than 31 cm.	subsection 25 (1)
33.	Fail to inspect live holding trap once a day	subsection 25 (3)
34.	Unlawfully use snare in prohibited part of Ontario	subsection 26 (1)
35.	Unlawfully possess body-gripping trap	subsection 27 (1)

Schedule 17.10

Ontario Regulation 668/98 under the
Fish and Wildlife Conservation Act, 1997

ITEM	COLUMN 1	COLUMN 2
1.	Fail to apply for licence to own or operate zoo	subsection 2 (2)
2.	Fail to provide information in application for zoo licence	subsection 2 (3)
3.	Fail to keep log of required information	subsection 5 (1)
4.	Fail to keep log in required form	subsection 5 (2)
5.	Fail to keep log for required time	subsection 5 (3)
6.	Make false entry in log	subsection 5 (4)
7.	Fail to apply for licence to keep reptiles and amphibians in captivity	subsection 6 (2)
8.	Fail to provide information in application for amphibian and reptile licence	subsection 6 (3)
9.	Fail to keep log for amphibians and reptiles kept in captivity	subsection 8 (1)
10.	Fail to keep amphibian and reptile log for required time	subsection 8 (3)
11.	Make false entry in log	subsection 8 (4)
12.	Fail to provide proper sponsorship	subsection 15 (2)
13.	Fail to apply for falconry licence	subsection 16 (1)
14.	Falconry licence holder—fail to hold small game licence	section 18
15.	Fail to carry falconry licence when hunting	section 21
16.	Fail to carry authorization when hunting	section 21
17.	Unlawfully keep unmarked bird in captivity	subsection 22 (1)
18.	Fail to affix band in required manner	subsection 22 (2)
19.	Fail to mark bird in required time	subsection 22 (3)

ITEM	COLUMN 1	COLUMN 2
20.	Fail to record loss of band in log	subsection 22 (4)
21.	Fail to affix replacement band as required	subsection 22 (5)
22.	Fail to notify Minister of loss as required	subsection 22 (6)
23.	Non-resident—fail to apply to keep falconry bird in Ontario	subsection 23 (1)
24.	Non-resident—fail to provide required information in application	subsection 23 (2)
25.	Unlawfully bring bird into Ontario	subsection 23 (4)
26.	Unlawfully buy falconry bird under general falconry licence	clause 24 (2) (a)
27.	Unlawfully obtain falconry bird under general falconry licence	clause 24 (2) (a)
28.	Unlawfully sell falconry bird under general falconry licence	clause 24 (2) (b)
29.	Unlawfully buy falconry bird under apprentice licence	clause 24 (3) (a)
30.	Unlawfully obtain falconry bird under apprentice licence	clause 24 (3) (a)
31.	Unlawfully sell falconry bird under apprentice licence	clause 24 (3) (b)
32.	Buy specially protected raptor taken from the wild	section 25
33.	Sell specially protected raptor taken from the wild	section 25
34.	Fail to keep log of required information for birds kept	subsection 27 (1)
35.	Fail to submit annual return for specially protected raptors kept	subsection 27 (2)
36.	Fail to keep log for required time	subsection 27 (3)
37.	Fail to keep annual return for required time	subsection 27 (3)
38.	Make false entry in log	subsection 27 (4)
39.	Unlawfully sell wildlife	subsection 31 (2)
40.	Fail to apply for train and trial area licence	subsection 32 (1)
41.	Fail to provide required food and water	clause 35 (1) (a)
42.	Fail to provide required cover	clause 35 (1) (b)
43.	Fail to provide protection specified in licence	clause 35 (1) (c)
44.	Fail to fence as required	subsection 35 (2)
45.	Entice wildlife to enter area	subsection 35 (3)
46.	Assist wildlife to enter area	subsection 35 (3)
47.	Unlawfully alter tail	subsection 35 (4)
48.	Fail to treat injured wildlife as required	subsection 35 (5)
49.	Unlawfully keep wildlife in a separate enclosure	subsection 36 (1)
50.	Release dogs into separate enclosure	subsection 36 (3)
51.	Unlawfully buy wildlife	subsection 37 (1)
52.	Unlawfully obtain wildlife	subsection 37 (1)
53.	Buy wildlife that was transported into Ontario	subsection 37 (2)
54.	Obtain wildlife that was transported into Ontario	subsection 37 (2)
55.	Unlawfully carry firearm in a train and trial area	subsection 38 (1)
56.	Unlawfully use firearm in a train and trial area	subsection 38 (1)
57.	Unlawfully discharge firearm into a train and trial area	subsection 38 (3)
58.	Put prohibited breed of dog on trail	section 39
59.	Unlawfully train dog on coyotes	subsection 40 (1)
60.	Unlawfully permit training of dog on coyotes	subsection 40 (1)
61.	Unlawfully train dog on red fox	subsection 40 (2)
62.	Unlawfully permit training of dog on red fox	subsection 40 (2)
63.	Unlawfully train dog on varying hare	subsection 40 (3)

ITEM	COLUMN 1	COLUMN 2
64.	Unlawfully permit training of dog on varying hare	subsection 40 (3)
65.	Unlawfully train dog on cottontail	subsection 40 (3)
66.	Unlawfully permit training of dog on cottontail	subsection 40 (3)
67.	Unlawfully permit trial to be conducted on varying hare	subsection 41 (1)
68.	Unlawfully permit trial to be conducted on cottontail	subsection 41 (1)
69.	Unlawfully permit trial to be conducted on red fox	subsection 41 (2)
70.	Unlawfully permit trial to be conducted on red fox	subsection 41 (3)
71.	Unlawfully permit trial to be conducted on coyote	subsection 41 (3)
72.	Unlawfully permit too many dogs in the area at once	subsection 42 (1)
73.	Unlawfully permit too many dogs in the area at once	subsection 42 (2)
74.	Permit dog to be on the trail of wildlife too soon after release of new wildlife	subsection 42 (3)
75.	Permit dog to be on the trail of wildlife too often in a 7 day period	subsection 42 (4)
76.	Permit dog to be in an area too soon before a trial	subsection 42 (5)
77.	Permit dog to be in an area too soon after a trial	subsection 42 (5)
78.	Permit 3-day trials to be held less than 10 days apart	subsection 42 (6)
79.	Permit more than 8 3-day trials to be held in a year	subsection 42 (7)
80.	Fail to keep register of required information about area	subsection 43 (1)
81.	Fail to keep log in required form	subsection 43 (2)
82.	Make false entry in register	subsection 43 (3)
83.	Make false entry in log	subsection 43 (3)
84.	Fail to ensure registration prior to using area	subsection 43 (4)
85.	Fail to keep register for required time	subsection 43 (5)
86.	Fail to keep log for required time	subsection 43 (5)

2. Schedules 21, 21.1, 21.2, 21.3, 21.4, 22, 23, 23.1, 23.2, 23.3, 24, 24.1, 24.2, 25, 26, 27, 28, 29, 30, 30.1, 30.2, 30.3, 31, 32, 33, 33.1, 33.2, 33.3, 34, 35, 35.1, 35.2, 35.3, 36 and 36.1 to the Regulation are revoked.

2. Les annexes 21, 21.1, 21.2, 21.3, 21.4, 22, 23, 23.1, 23.2, 23.3, 24, 24.1, 24.2, 25, 26, 27, 28, 29, 30, 30.1, 30.2, 30.3, 31, 32, 33, 33.1, 33.2, 33.3, 34, 35, 35.1, 35.2, 35.3, 36 et 36.1 du Règlement sont abrogées.

13/99

ONTARIO REGULATION 94/99
made under the
FISH AND WILDLIFE CONSERVATION ACT, 1997

Made: March 10, 1999
Filed: March 11, 1999

Amending O. Reg. 665/98
(Hunting)

Note: Ontario Regulation 665/98 has not previously been amended.

1. Section 33 of Ontario Regulation 665/98 is amended by adding the following subsections:

(4.1) A person shall not kill more than one wild turkey in a day.

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(6) A person shall not hunt wild turkey using,

(a) a live decoy;

(b) an electronic call; or

(c) corn, wheat, oats or other grain, pulse or any other feed, or an imitation of any of these that may attract wild turkey.

13/99

ONTARIO REGULATION 95/99
made under the
FISH AND WILDLIFE CONSERVATION ACT, 1997

Made: March 10, 1999
Filed: March 11, 1999

Amending O. Reg. 665/98
(Hunting)

Note: Ontario Regulation 665/98 has previously been amended by Ontario Regulation 94/99.

1. Subsections 53 (4), (5), (6), (7), (8) and (9) of Ontario Regulation 665/98 are revoked and the following substituted:

(4) A non-resident licence to hunt moose is not valid under clause (3) (c) in wildlife management units 7B, 9B, 11A, 11B, 12B, 13 or 14.

(5) A non-resident who proposes to hunt moose as a registered guest in accordance with clause 3 (b) shall not be issued a licence unless he or she holds a moose validation tag.

(6) A non-resident who proposes to hunt moose and who is not a registered guest shall not be issued a moose validation tag unless he or she holds a licence to hunt moose.

(7) A tourist outfitter may apply for a moose validation tag on behalf of a registered guest.

(8) A resident who has obtained a moose validation tag from a tourist outfitter shall be a registered guest of that outfitter during the hunt.

(9) A tourist outfitter shall not issue a moose validation tag to a person who is not a registered guest.

(10) No person, except a tourist outfitter on behalf of his or her registered guests,

(a) shall apply for more than one moose validation tag; or

(b) shall possess more than one moose validation tag during the hunt.

13/99

ONTARIO REGULATION 96/99
made under the
FISH AND WILDLIFE CONSERVATION ACT, 1997

Made: February 22, 1999

Filed: March 11, 1999

Amending O. Reg. 670/98
(Open Seasons—Wildlife)

Note: Ontario Regulation 670/98 has previously been amended by Ontario Regulation 88/99.

1. (1) Item 1.2 of the Table to Ontario Regulation 670/98 is revoked and the following substituted:

ITEM	COLUMN 1 Species	COLUMN 2 Area (Nos. refer to WMUs unless otherwise stated)	COLUMN 3 Open Season—Residents	COLUMN 4 Open Season—Non-Residents
1.2	Moose	2, 3, 4, 5, 6, 7B, 8, 9A, 9B, 11A, 11B, 12A, 12B, 13, 14, 15A, 15B, 18A, 19, 21A, 21B	From the Saturday closest to October 8 to December 15, in any year.	From the Monday next following the Saturday closest to October 8 to November 15, in any year.

(2) Item 1.5 of the Table to the Regulation is revoked.

(3) Item 6.32 of the Table to the Regulation is revoked and the following substituted:

ITEM	COLUMN 1 Species	COLUMN 2 Area (Nos. refer to WMUs unless otherwise stated)	COLUMN 3 Open Season—Residents and Non-Residents	COLUMN 4 Time Limits	COLUMN 5 Daily Bag Limits	COLUMN 6 Possession Limits
6.32	Wild Turkey	67, 68, 69B, 70, 71, 72, 73, 74, 75, 76, 77, 78, 80, 81, 82A, 85, 87B, 87C, 87D, 88, 89, 90, 91B, 92A, 92B, 92C, 92D, 93A	From April 25, or if April 25 falls on a Saturday or Sunday, the Monday immediately following April 25, and ending on May 31.	½ hour before sunrise to 12 o'clock noon	As provided in Part VI of Ontario Regulation 665/98 (Hunting)	

JOHN SNOBELN
Minister of Natural Resources

Dated on February 22, 1999.

13/99

ONTARIO REGULATION 97/99

made under the
ELECTRICITY ACT, 1998

Made: March 10, 1999

Filed: March 11, 1999

TRANSFER ORDERS AND TRANSFER BY-LAWS

1. The following Acts and provisions of Acts are prescribed for the purpose of sections 135 and 159 of the Act:

1. The *Assignments and Preferences Act*.
2. The *Environmental Assessment Act*.
3. The *Expropriations Act*.
4. The *Fraudulent Conveyances Act*.
5. Section 193 of the *Municipal Act*.
6. Subsection 86 (1) of the *Ontario Energy Board Act, 1998*.
7. Section 50 of the *Planning Act*.

2. (1) Despite Rule 11 of the Rules of Civil Procedure, no order of the court is required to continue an action or other proceeding that is continued under section 127 or 154 of the Act.

(2) If a proceeding is continued under section 127 or 154 of the Act, the title of the proceeding shall be amended accordingly in all documents issued, served or filed in the proceeding after the effective date of the transfer.

3. This Regulation comes into force on the day subsection 54 (1) of the *Electricity Act, 1998* comes into force.

13/99

ONTARIO REGULATION 98/99

made under the
ELECTRICITY ACT, 1998

Made: March 10, 1999

Filed: March 11, 1999

Amending O. Reg. 610/98
(The IMO)

Note: Ontario Regulation 610/98 has previously been amended by Ontario Regulation 9/99.

1. (1) Subsection 1 (1) of Ontario Regulation 610/98 is amended by striking out "Fourteen directors" in the first line and substituting "Fifteen directors".

(2) Subsection 1 (2) of the Regulation is amended by striking out "14 directors" in the first line and substituting "15 directors".

(3) Clause 1 (2) (h) of the Regulation is amended by striking out "five" in the first line and substituting "six".

13/99

ONTARIO REGULATION 99/99
made under the
ONTARIO ENERGY BOARD ACT, 1998

Made: March 10, 1999

Filed: March 11, 1999

Amending Reg. 869 of R.R.O. 1990
(General)

Note: Since the end of 1997, Regulation 869 has been amended by Ontario Regulations 360/98 and 369/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Sections 1 to 10, 12, 14, 15, 15.1 and 17 of Regulation 869 of the Revised Regulations of Ontario, 1990 are revoked.

2. This Regulation comes into force on the day subsection 54 (1) of the *Electricity Act, 1998* comes into force.

13/99

ONTARIO REGULATION 100/99
made under the
ONTARIO ENERGY BOARD ACT, 1998

Made: March 10, 1999

Filed: March 11, 1999

**GAS WITHOUT CHARGE OR
AT A REDUCED RATE**

1. (1) No person shall use or consume any gas that was supplied without charge or at a reduced rate under an agreement entered into with a gas distributor for which the supplying of gas without charge or at a reduced rate is a consideration.

(2) Subsection (1) does not apply to an agreement or renewal of an agreement made before January 1, 1955.

2. This Regulation comes into force on the day subsection 54 (1) of the *Electricity Act, 1998* comes into force.

13/99

ONTARIO REGULATION 101/99
made under the
ONTARIO ENERGY BOARD ACT, 1998

Made: March 10, 1999

Filed: March 11, 1999

Revoking O. Reg. 188/93
(Exemption)

1. Ontario Regulation 188/93 is revoked.

13/99

ONTARIO REGULATION 102/99
made under the
ONTARIO ENERGY BOARD ACT, 1998

Made: March 10, 1999
Filed: March 11, 1999

Revoking O. Reg. 521/97
(Exemptions—Ontario Hydro)

1. Ontario Regulations 521/97 and 359/98 are revoked.

2. This Regulation comes into force on the day subsection 54 (1) of the *Electricity Act, 1998* comes into force.

13/99

ONTARIO REGULATION 103/99
made under the
ONTARIO ENERGY BOARD ACT, 1998

Made: March 10, 1999
Filed: March 11, 1999

Revoking O. Reg. 504/97
(Uniform System Accounts)

1. Ontario Regulation 504/97 is revoked.

13/99

ONTARIO REGULATION 104/99
made under the
**FREEDOM OF INFORMATION AND
PROTECTION OF PRIVACY ACT**

Made: March 10, 1999
Filed: March 11, 1999

Amending Reg. 460 of R.R.O. 1990
(General)

Note: Regulation 460 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Items 30, 31, 61.2, 67.1, 78, 102, 106, 121.0.01, 141.1, 160, 165, 176, 177, 185, 197, 199.1 and 235 of the Schedule to Regulation 460 of the Revised Regulations of Ontario, 1990 are revoked.

2. Items 62, 64, 65, 74, 114, 141, 198, 229, 238 and 239 of the Schedule to the Regulation are revoked and the following substituted:

62.	Environmental Appeal Board	Minister of the Environment
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64.	Environmental Assessment Board	Minister of the Environment
65.	Environmental Compensation Corporation	Minister of the Environment

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74.	Fire Safety Commission	Solicitor General and Minister of Correctional Services
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114.	Niagara Escarpment Commission	Minister of Natural Resources
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RÈGLEMENT DE L'ONTARIO 104/99
pris en application de la
**LOI SUR L'ACCÈS À L'INFORMATION ET LA
PROTECTION DE LA VIE PRIVÉE**

pris le 10 mars 1999
déposé le 11 mars 1999

modifiant le Règl. 460 des R.R.O. de 1990
(Dispositions générales)

Remarque : Le Règlement 460 a été modifié antérieurement. Ces modifications sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1997.

1. Les numéros 30, 31, 61.2, 67.1, 78, 102, 106, 121.0.01, 141.1, 160, 165, 176, 177, 185, 197, 199.1 et 235 de l'annexe du Règlement 460 des Règlements refondus de l'Ontario de 1990 sont abrogés.

2. Les numéros 62, 64, 65, 74, 114, 141, 198, 229, 238 et 239 de l'annexe du Règlement sont abrogés et remplacés par ce qui suit :

62.	Commission d'appel de l'environnement	Ministre de l'Environnement
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64.	Commission des évaluations environnementales	Ministre de l'Environnement
65.	Société d'indemnisation environnementale	Ministre de l'Environnement

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74.	Commission de la sécurité-incendie	Solliciteur général et ministre des Services correctionnels
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114.	Commission de l'escarpement du Niagara	Ministre des Richesses naturelles
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141.	Ontario Energy Board	Minister of Energy, Science and Technology
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198.	Pesticides Advisory Committee	Minister of the Environment
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229.	Social Benefits Tribunal	Minister of Community and Social Services
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238.	Workplace Safety and Insurance Appeals Tribunal	Minister of Labour
239.	Workplace Safety and Insurance Board	Chair of the Board

3. The Schedule to the Regulation is amended by adding the following items:

21.1	Alcohol and Gaming Commission of Ontario	Minister of Consumer and Commercial Relations
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28.1	Board of Negotiation	Minister of Agriculture, Food and Rural Affairs
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57.	Disability Adjudication Unit	Minister of Community and Social Services
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73.1	Financial Services Commission of Ontario	Minister of Finance
73.2	Financial Services Tribunal	Minister of Finance

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98.1	Legal Aid Ontario	President of Legal Aid Ontario
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141.	Commission de l'énergie de l'Ontario	Ministre de l'Énergie, des Sciences et de la Technologie
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198.	Comité consultatif sur les pesticides	Ministre de l'Environnement
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229.	Tribunal de l'aide sociale	Ministre des Services sociaux et communautaires
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238.	Tribunal d'appel de la sécurité professionnelle et de l'assurance contre les accidents du travail	Ministre du Travail
239.	Commission de la sécurité professionnelle et de l'assurance contre les accidents du travail	Président de la Commission

3. L'annexe du Règlement est modifiée par adjonction des numéros suivants :

21.1	Commission des alcools et des jeux de l'Ontario	Ministre de la Consomma- tion et du Commerce
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28.1	Commission de négociation	Ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
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57.	Unité des décisions sur l'admissibilité des personnes handicapées	Ministre des Services sociaux et communautaires
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73.1	Commission des services financiers de l'Ontario	Ministre des Finances
73.2	Tribunal des services financiers	Ministre des Finances

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98.1	Aide juridique Ontario	Président d'Aide juridique Ontario
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105.1	Market Design Committee	Minister of Energy, Science and Technology
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115.1	Normal Farm Practices Protection Board	Minister of Agriculture, Food and Rural Affairs
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166.1	Ontario Moose-Bear Alloca- tion Advisory Committee	Minister of Natural Resources
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171.2	Ontario Parks Board of Directors	Minister of Natural Resources
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180.1	Ontario Rental Housing Tribunal	Chair of the Tribunal
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105.1	Comité d'établissement des règles du marché	Ministre de l'Énergie, des Sciences et de la Technologie
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115.1	Commission de protection des pratiques agricoles normales	Ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
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166.1	Comité consultatif ontarien d'attribution en matière de chasse à l'original et à l'ours	Ministre des Richesses naturelles
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171.2	Conseil d'administration de Parcs Ontario	Ministre des Richesses naturelles
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180.1	Tribunal du logement de l'Ontario	Président du Tribunal
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ONTARIO REGULATION 105/99
made under the
**MUNICIPAL FREEDOM OF INFORMATION AND
PROTECTION OF PRIVACY ACT**

Made: March 10, 1999
Filed: March 11, 1999

Amending O. Reg. 372/91
(Institutions)

Note: Ontario Regulation 372/91 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. (1) Paragraphs 4, 4.1 and 9 of section 1 of Ontario Regulation 372/91 are revoked and the following substituted:

4. Greater Toronto Services Board.

4.1 Greater Toronto Transit Authority.

9. The Board of Management of the Hummingbird Centre.

(2) Paragraph 13 of section 1 of the Regulation is revoked.

ONTARIO REGULATION 106/99
made under the
LEGAL AID SERVICES ACT, 1998

Made: March 2, 1999
Approved: March 10, 1999
Filed: March 11, 1999

**ADMINISTRATION OF SYSTEM FOR
PROVIDING LEGAL AID SERVICES**

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INTERPRETATION

1. (1) In this Regulation,

"board" means the Corporation's board of directors;

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"legal accounts officer" means the Corporation employee with that title;

"president" means the president of the Corporation;

"regulations" means this regulation and Ontario Regulation 107/99.

(2) In this Regulation, a reference to a panel includes a subpanel established in accordance with subsection 23 (2) of the Act.

2. This Regulation, except sections 6, 7, 24 and 25, does not apply in respect of legal aid services provided by clinics or by clinic law duty counsel.

3. A power or duty that this Regulation confers on an area director may also be exercised or performed by a member of the area director's staff.

4. A power or duty that this Regulation confers on the legal accounts officer may also be exercised or performed by a member of the legal accounts officer's staff.

5. A power or duty that this Regulation confers on the president may also be exercised or performed by an employee of the Corporation whom the president designates for the purpose. New.

APPLICATIONS

6. (1) An application for a certificate shall be made in accordance with section 24 of the Act and dealt with in accordance with,

- (a) sections 25 to 29 of the Act; and
- (b) the policies and priorities established by the Corporation under section 12 of the Act.

(2) The following procedures are prescribed for applications for certificates by individuals who are not ordinarily resident in Ontario:

1. The area director who receives an application under subsection 24 (2) of the Act shall make appropriate inquiries, prepare a report on the inquiries and forward the application and report to the president.
2. The president shall consider the application and report, in accordance with the policies and priorities established by the Corporation under section 12 of the Act, and may, in his or her discretion, direct the area director to issue a certificate.
3. The president may attach such terms and conditions as he or she considers appropriate upon the issuance of a certificate.
4. The president may at any time amend or cancel a certificate issued under this subsection.
5. If the president decides not to direct the area director to issue a certificate, the president shall send the applicant a notice of the decision.
6. A decision made by the president under this subsection is final.

(3) An application for legal aid services to be provided by duty counsel shall be made to the duty counsel, or to another person designated by the board, and assessed in accordance with,

- (a) the financial eligibility requirements prescribed by Ontario Regulation 107/99; and

(b) the policies and priorities established by the Corporation under section 12 of the Act.

(4) An application for legal aid services to be provided by a clinic shall be made to the clinic, or to a person designated by the board, and assessed in accordance with,

- a) the financial eligibility requirements prescribed by Ontario Regulation 107/99;
- (b) the policies and priorities established by the Corporation under section 12 of the Act;
- (c) any terms and conditions imposed on the clinic's funding under subsection 34 (5) of the Act; and
- (d) the clinic's case selection criteria.

7. (1) An application for legal aid services for a minor may be made,

- (a) by the minor; or
- (b) by a parent or guardian on the minor's behalf.

(2) An application for legal aid services for a mentally incapable person may be made on his or her behalf,

- (a) by the person's guardian of property or guardian of the person;
- (b) if there is no guardian, by the person's attorney under a continuing power of attorney or a power of attorney for personal care;
- (c) if there is no attorney, by a friend or relative; or
- (d) if there is no friend or relative, by the Public Guardian and Trustee.

(3) Despite subsection (2), an application for legal aid services to be provided in connection with an application under the *Substitute Decisions Act, 1992*, the *Mental Health Act* or the *Health Care Consent Act, 1996* may be made,

- (a) by the person; or
- (b) by a friend or relative on the person's behalf.

(4) An application for legal aid services for a person who is unable by reason of physical disability to make the application in person may be made by a friend or relative on his or her behalf.

CERTIFICATES

8. A certificate shall,

- (a) specify the date of its issue and its effective date;
- (b) set out the nature and extent of the services to be provided to the applicant, including the type of panel to which the certificate applies;
- (c) state whether the applicant or the person responsible for the applicant is required to contribute under Part IV of the Act; and
- (d) set out any terms and conditions imposed by the area director under subsection 29 (1) of the Act.

9. (1) The area director shall send the certificate to the applicant or to a member of the appropriate panel.

- (2) A lawyer who receives a certificate shall,

- (a) if able and willing to act, promptly complete and sign the acceptance and undertaking on the certificate and return a copy to the area director; or
- (b) if unable or unwilling to act for any reason, promptly return the certificate to the applicant or to the area director, as the circumstances require.

10. (1) If a certificate is issued but no lawyer complies with clause 9 (2) (a) within the 90-day period following its date of issue,

- (a) the certificate is deemed to expire at the end of that period; and
- (b) the Corporation shall promptly send to the applicant, at the last address shown in the area director's records, a notice that the certificate has expired.

(2) On the application of a lawyer who has received a certificate within the 90-day period following its date of issue but failed to comply with clause 9 (2) (a) within that period, the area director may reactivate the expired certificate retroactive to a date that is not earlier than its original effective date.

11. If no certificate is issued, the area director shall promptly send the applicant a notice of the refusal,

- (a) with the area committee's reasons for refusal, if section 28 of the Act applies;
- (b) with the area director's reasons, in any other case.

12. An area director may issue a certificate with retroactive effect to a person to whom a lawyer has already provided legal or other services, if the area director is satisfied that,

- (a) the services were provided in an emergency situation, and notice that they were provided is given to the area director within a reasonable time;
- (b) the applicant would have qualified for legal aid services at the time the services were provided;
- (c) no previous application for the same services has been refused; and
- (d) the lawyer has not accepted a private retainer for the services.

13. (1) The services authorized by a certificate are deemed to be complete when the earliest of the following events takes place:

1. The area director cancels the certificate.
2. The claim, proceeding or charge is fully disposed of by judgment or settlement.
3. The lawyer is unable to obtain the applicant's instructions to proceed.
4. Three years, or the longer period the area director specifies under subsection (2), have passed since the certificate was issued.
5. The lawyer is removed from the record.

(2) On the application of the lawyer, the area director may specify a longer period than three years for the purpose of paragraph 4 of subsection (1).

(3) When a lawyer ceases to act for an applicant or the services authorized by the certificate are deemed to be complete as provided in subsection (1), the lawyer shall promptly,

- (a) report the fact to the area director, and provide any related information that the area director requires;
- (b) submit a final account in accordance with section 40; and
- (c) subject to subsection (4), send to the applicant, or to another person as the applicant directs,
 - (i) a copy of the report required by clause (a), and
 - (ii) in return for a receipt, all documents and other property of the applicant that are in the lawyer's possession.

(4) The area director may direct the lawyer not to provide the materials if, in the area director's opinion, doing so could cause the applicant prejudice or embarrassment.

14. (1) An area director who proposes to cancel a certificate under subsection 29 (2) of the Act shall send the applicant and the applicant's lawyer a notice of intention to cancel.

(2) The notice shall,

- (a) state the reasons for the proposed cancellation; and
- (b) specify a date, not less than 7 days after the notice is delivered, by which the applicant or lawyer may show cause why the certificate should not be cancelled.

(3) If the applicant or lawyer shows cause why the certificate should not be cancelled, the area director shall promptly reconsider the matter and make a decision.

(4) If the applicant or lawyer does not show cause, or if the area director reconsiders the matter under subsection (3) and decides to proceed with the cancellation, the area director shall send the applicant and the applicant's lawyer a notice of cancellation.

(5) The notice of cancellation shall,

- (a) state the reasons for the cancellation;
- (b) specify a date, not less than 7 days after the notice is delivered, on which the cancellation becomes effective; and
- (c) contain a statement of the right to appeal under subsection (7).

(6) After the notice has been delivered to the lawyer, no further services shall be provided under the certificate, except as the area director specifically authorizes in writing.

(7) The applicant may appeal the cancellation to the area committee by serving a notice of appeal on the area director within 7 days after the notice of cancellation is delivered.

(8) When a notice of appeal is served, the area committee shall hear the matter and may,

- (a) direct that the matter be adjourned pending the submission of any further material it considers relevant to the decision;
- (b) direct that the matter be referred to the area director to be reconsidered and decided in light of new or further evidence,
 - (i) that has been submitted to the area committee, or
 - (ii) that the area committee directs the area director to ascertain;

- (c) confirm the area director's cancellation of the certificate; or
- (d) reverse the area director's decision and direct that the certificate be reinstated, subject to any terms and conditions that the area committee considers appropriate and that the area director could have imposed.
- (9) Subsection (6) ceases to apply if the certificate is reinstated.

15. If the applicant requests that the certificate be cancelled,

- (a) section 14 does not apply, but the area director shall send the applicant and the applicant's lawyer a notice of the cancellation; and
- (b) the area director may make the cancellation retroactive to a date no earlier than the date the certificate was issued.

16. The area director may reinstate a certificate within 90 days after cancellation if,

- (a) he or she is satisfied that the reasons for the cancellation are no longer applicable; or
- (b) the applicant or the lawyer has satisfied any requirements for a certificate that were previously unsatisfied.

APPEALS UNDER SUBSECTIONS 30 (1) AND (2) OF ACT

17. (1) An appeal to the area committee under subsection 30 (1) of the Act shall be commenced by serving on the area director, within seven days after the decision appealed from is delivered, a notice of appeal identifying that decision and stating the grounds of appeal.

(2) The area committee may,

- (a) direct that the appeal be adjourned pending the submission of any further material it considers relevant to the decision;
- (b) direct that the matter be referred to the area director to be reconsidered and decided in light of new or further evidence,
 - (i) that has been submitted to the area committee, or
 - (ii) that the area committee directs the area director to ascertain;
- (c) allow the appeal in whole or in part and direct the issue or continuation of a certificate for the purpose applied for, or for another purpose that the area committee considers appropriate, subject to any terms and conditions that it considers appropriate and that the area director could have imposed; or
- (d) dismiss the appeal.

(3) The applicant has the same right of appeal from a decision of the area director made under a direction mentioned in clause (2) (b) as from the area director's original decision.

18. (1) An appeal under subsection 30 (2) of the Act shall be commenced by serving on the person designated under that subsection, within seven days after the notice of the decision appealed from is delivered, a notice of appeal identifying that decision and stating the grounds of appeal.

(2) The designated person may,

- (a) direct that the appeal be adjourned pending the submission of any further material he or she considers relevant to the decision;

- (b) direct that the matter be referred to the area director or to the area committee to be reconsidered and decided in light of new or further evidence,

(i) that has been submitted to the designated person, or

(ii) that he or she directs the area director to ascertain;

- (c) allow the appeal in whole or in part and direct the issue or continuation of a certificate for the purpose applied for, or for another purpose that the designated person considers appropriate, subject to any terms and conditions that he or she considers appropriate and that the area director could have imposed; or

- (d) dismiss the appeal.

RECOVERY OF COSTS FOR LEGAL AID SERVICES

19. For the purposes of clause 97 (1) (n) of the Act, the prescribed interest rate is, for each fiscal year, the postjudgment interest rate for the last quarter of the previous fiscal year, as published under clause 127 (2) (b) of the *Courts of Justice Act*.

20. (1) The Corporation may exercise its discretion under section 49 of the Act if the president, the legal accounts officer or the Corporation's collections manager is of the opinion that,

- (a) failure to exercise the discretion would cause the applicant or the person responsible hardship;
- (b) all or part of the amount due to the Corporation is uncollectible;
- (c) the exercise of the discretion would reduce the overall amount ultimately payable by the Corporation; or
- (d) the exercise of the discretion would promote the timely settlement of the proceeding.

(2) The Corporation's discretion under section 49 of the Act may be exercised by the president, the legal accounts officer or the collections manager.

21. A lawyer who effects a settlement entitling the applicant to recover money or other property shall promptly inform the Corporation of the terms of the settlement, and shall provide a copy of the settlement documents at its request.

22. (1) The following rules apply if an applicant becomes entitled to money or other property under a judgment, order or settlement:

1. The party and party costs in favour of the applicant, if not determined on an assessment under a judgment or order, may be agreed on by the parties with the legal accounts officer's approval, obtained in advance. If there is no agreement or no approval, the legal accounts officer shall determine the costs for the purpose of ascertaining the amount for costs to be paid to the Corporation. The applicant's lawyer shall pay all the costs recovered to the Corporation.
2. The amount of fees and disbursements for the services provided by the lawyer shall then, by agreement of the applicant and the lawyer with the legal accounts officer's approval, obtained in advance, be determined as between a client and his or her lawyer. If there is no agreement or no approval, the legal accounts officer may determine the amount of fees and disbursements. The amount by which the fees and disbursements exceed the party and party costs shall also be paid to the Corporation, unless the legal accounts officer decides that under the circumstances no such payment need be made.

3. If legal services were provided to the applicant in connection with the same matter but not under the certificate, the legal accounts officer may determine the amount of the costs referable to those services and the amount payable out of those costs to the applicant and to the Corporation.

4. The applicant shall pay the amount of the lawyer's account, as settled under this Regulation, and a proportionate share of the Corporation's overhead as determined by the president.

(2) If the applicant or a person responsible for the applicant agreed to contribute under Part IV of the Act, the applicant or person responsible shall pay the lesser of,

(a) the amount fixed in the contribution agreement; or

(b) the total of,

(i) the amount of the lawyer's account, as settled under this Regulation,

(ii) a proportionate share of the Corporation's overhead as determined by the president, and

(iii) interest on any overdue contributions.

(3) Subsection (2) applies whether money or other property is recovered or not.

23. When an applicant becomes entitled to the payment of costs or to recover money or other property under a judgment, award or settlement, the following rules apply to the lawyer who acts under the certificate in the matter:

1. If the matter is a claim before an administrative board, tribunal or expropriating authority, the lawyer shall, unless the Corporation directs otherwise, deposit a notice with the body after it has made its decision. The notice shall state that,

i. the applicant is the recipient of legal aid services,

ii. the Corporation has a statutory claim for the costs payable under the Act, and

iii. any costs awarded to the applicant are the Corporation's property.

2. In any matter in which costs are awarded to the applicant, the lawyer shall,

i. except to the extent that the Corporation directs otherwise, assess the costs, obtain the applicant's assignment of the costs to the Corporation, and file a writ of seizure and sale and the assignment with the appropriate officials, and

ii. take any further steps to collect the costs that the Corporation authorizes.

3. If the applicant is entitled to recover money or other property, the lawyer shall send the person from whom the money or property is recoverable, that person's lawyer, if any, and any official with whom the writ of seizure and sale or order for payment has been filed, a notice stating that,

i. any costs payable to the applicant are the Corporation's property under the Act,

ii. the Corporation has a charge against the money or other property under section 47 of the Act, and

iii. until the charge has been released, no money shall be paid or property released or transferred to the applicant.

4. On receiving any costs payable to the applicant, the lawyer shall pay them to the Corporation.

5. On receiving any sum in payment of the judgment, award or settlement, other than for costs, the lawyer shall pay to the Corporation any outstanding amount payable to it under the Act.

6. Before delivering to the applicant any recovered property or title papers relating to the property, the lawyer shall,

i. have the applicant sign an appropriate document to secure the Corporation's charge,

ii. have the document registered under the *Land Titles Act*, the *Registry Act* or the *Personal Property Security Act*, as the case may be, and

iii. send the president a certified copy of the registered document.

FUNCTIONS OF DUTY COUNSEL

24. (1) The classes of duty counsel are:

1. Family and civil law duty counsel.

2. Criminal law duty counsel.

3. Mental health law duty counsel.

4. Clinic law duty counsel.

5. Special duty counsel.

6. Advice lawyers.

(2) Family and civil law duty counsel shall:

1. Attend the Family Court of the Ontario Superior Court of Justice and the Ontario Court of Justice as scheduled.

2. In Family Court and the Ontario Court of Justice,

ii. advise persons about court procedures,

iii. prepare or review documents to be filed with the court,

iv. obtain adjournments,

v. represent otherwise unrepresented persons at motions, in interim hearings concerning custody, access, child protection or support and in pre-trial hearings and show cause hearings, and

vi. assist persons in the negotiation of settlements and consent orders and in mediation.

(3) Criminal law duty counsel shall:

1. Perform duties in connection with criminal appeals as may be appropriate, including,

i. helping an appellant to complete a notice to the court that an application has been made for legal aid services in relation to the appeal,

- ii. helping an appellant who is represented by a lawyer to complete a notice of withdrawal of a prisoner appeal,
 - iii. representing an appellant on an application for judicial interim release.
2. Attend the Ontario Court of Justice as scheduled.
3. In the Ontario Court of Justice, assist persons who have been taken into custody or summoned and charged with offences, by advising them of their rights and by taking any steps that may be appropriate to protect those rights, including,
- i. representing a person on an application for remand, adjournment or judicial interim release, on a pre-trial that relates to disposition, or on entering a guilty plea,
 - ii. applying for diversion,
 - iii. making representations with respect to sentence if a guilty plea is entered.
- (4) Mental health law duty counsel shall, as may be appropriate:
- 1. Attend at psychiatric facilities designated under the *Mental Health Act*.
 - 2. At those facilities,
 - i. advise persons about their rights and take any steps that may be appropriate to protect those rights, and
 - ii. take applications for certificates.
- (5) Clinic law duty counsel shall, as scheduled:
- 1. Attend at administrative tribunals.
 - 2. At those tribunals,
 - i. advise persons about their rights and take any steps that may be appropriate to protect those rights,
 - ii. advise persons about tribunal procedures and assist them with those procedures,
 - iii. prepare, review or assist persons to prepare documents,
 - iv. obtain documents for persons or assist them in doing so,
 - v. obtain adjournments,
 - vi. represent persons in any proceeding, and
 - vii. assist persons in the negotiation of settlements and consent orders and in mediation.
- (6) Special duty counsel shall:
- 1. Advise and assist persons as the circumstances require.
 - 2. Take applications for certificates at the area director's office or elsewhere in the area, as scheduled.
- (7) Advice lawyers shall:
- 1. Attend where and as scheduled.

2. Advise persons about their rights.

3. Prepare or review documents.

(8) All classes of duty counsel shall:

1. Make reports to the Corporation as and when it requests.

2. Provide public legal education information.

3. Make appropriate referrals to other sources of information, advice, assistance and representation.

25. (1) When a lawyer has represented or advised an applicant as duty counsel, neither the lawyer nor any of his or her associates in the practice of law shall knowingly act for the applicant in the same matter, otherwise than as duty counsel.

(2) Subsection (1) does not apply if,

(a) the lawyer or associate acts for the applicant in the same matter with the area director's approval, obtained in advance;

(b) the lawyer certifies in writing to the area director that an earlier lawyer-client relationship existed between the applicant and the lawyer or associate; or

(c) the lawyer or associate is employed by the Corporation or by a clinic.

STUDENT LEGAL AID SERVICES SOCIETIES

26. (1) The dean of the law school that operates a student legal aid services society has control and supervision of the society and of its members.

(2) Without limiting the generality of subsection (1), the dean has discretion to,

(a) restrict the functions of the society and its members;

(b) terminate the society's operations, either temporarily or permanently;

(c) specify the minimum qualifications of a student for membership in the society; and

(d) remove a student from membership in the society, either temporarily or permanently, and reinstate him or her.

PANELS

27. (1) The area director shall maintain a complete record of the names on each panel for the area.

(2) At any person's request, the area director shall furnish the names and addresses of the lawyers who are on a panel for the area.

28. (1) A lawyer may apply to the area director to have his or her name entered on a panel.

(2) In the application, the lawyer shall provide the information concerning his or her practice, qualifications and experience and the status of his or her Law Society membership that the area director requires.

(3) The area director shall enter the name on the appropriate panel unless,

(a) the lawyer fails, in the area director's opinion, to meet applicable standards, including standards under the Corporation's quality assurance program; or

- (b) the president has prohibited entry of the name under section 29.
- (4) If clause (3) (a) or (b) applies, the area director shall send the lawyer a notice that includes,
 - (a) the reasons for the refusal to enter the name; and
 - (b) a statement of the right of review under subsection (5).
- (5) The lawyer is entitled to a review by the president or another person designated by the board if, within seven days after the notice under subsection (4) is delivered, he or she serves on the president and the area director a notice requesting a review.

29. (1) If the president has reasonable cause to prohibit the entry of a lawyer's name on a panel, he or she may take the steps set out in this section.

(2) The president shall send the lawyer notice of the proposal and afford him or her an opportunity for a hearing.

(3) A request for a hearing shall be served on the Corporation and the area director within seven days after the notice under subsection (2) is delivered.

(4) The president shall notify the area director and the lawyer of the decision in the matter,

- (a) if a hearing is requested, after it has been held;
- (b) if no hearing is requested, after the seven-day period has passed.

30. (1) The area director shall remove a lawyer's name from a panel if the lawyer requests the removal and the president consents.

(2) The area director may require a lawyer to whom subsection (1) applies to complete work under specified certificates that the lawyer has already accepted.

31. (1) If a lawyer fails, in the area director's opinion, to meet or to continue to meet applicable standards, including standards under the Corporation's quality assurance program, the area director may take the steps set out in this section.

(2) The area director shall send the lawyer notice of a proposal to remove his or her name from a panel and afford him or her an opportunity for a hearing.

(3) A request for a hearing shall be served on the area director within seven days after the notice under subsection (2) is delivered.

(4) The president shall conduct the hearing.

(5) The area director may remove the name from the panel,

- (a) if the proposal is confirmed after a hearing, as soon as he or she is advised of the decision;
- (b) if no hearing is requested, after the seven-day period has passed.

(6) If a hearing is held, the area director shall send the lawyer notice of the decision, whether the proposal is confirmed or not.

32. (1) Subject to subsection (3), the president may remove a lawyer's name from a panel in any of the following circumstances:

- 1. The president has reasonable cause for doing so.

2. The lawyer is found guilty of professional misconduct, for conduct that is related to the operation of the Corporation.

3. The lawyer is found guilty of a criminal offence that is related to the operation of the Corporation.

(2) Subject to subsection (3), the president may temporarily remove the name of a lawyer from all panels in either of the following circumstances:

1. The Law Society serves on the lawyer a conduct application alleging an offence that is related to the operation of the Corporation.

2. A criminal charge is laid against the lawyer for an offence that is related to the operation of the Corporation.

(3) Before removing the name of a lawyer from a panel under subsection (1) or (2), the president shall,

(a) send the lawyer notice of the proposal to remove his or her name; and

(b) afford the lawyer an opportunity for a hearing.

(4) The president may restore a name that was temporarily removed under subsection (2) if the complaint or charge is disposed of by a finding of not guilty.

33. (1) A lawyer whose name has been removed from a panel under section 31 or 32 shall, in relation to that panel,

(a) report to the area director on the state of all uncompleted work;

(b) render his or her accounts for fees and disbursements in accordance with the regulations; and

(c) subject to subsection (3), deliver every legal aid file in his or her possession to the area director, or to another lawyer as the applicant directs.

(2) The lawyer shall not, unless his or her name has been restored to the panel under section 34,

(a) accept any further certificate in relation to the panel; or

(b) provide any services under a certificate in relation to the panel that is accepted by another lawyer.

(3) The area director may allow a lawyer to whom clause (1) (c) applies to complete work under specified certificates that the lawyer has already accepted.

34. (1) A lawyer whose name is removed from a panel under section 31 or 32 may make an application to the area director to have his or her name restored to the panel.

(2) The area director shall refer the application, accompanied by his or her own recommendation, to the president.

(3) The president shall promptly decide whether to approve the application, may conduct an enquiry as he or she considers necessary for the purpose, and shall advise the area director and the lawyer of the decision as soon as possible.

(4) On being advised of a decision to approve the application, the area director shall restore the name to the panel as soon as possible.

35. Nothing in this Regulation discharges any lawyer whose name has been removed from a panel from any obligations to clients or to the Corporation.

36. Nothing in this Regulation interferes with the right to refuse a request for professional services.

37. (1) Every person named on a panel shall make reports, furnish information and render accounts in accordance with this Regulation.

(2) Subsection (1) also applies to lawyers mentioned in subsection 4 (2) of Ontario Regulation 107/99.

ACCOUNTS

38. (1) The legal accounts officer shall settle all lawyer's accounts for legal aid services provided under certificates, other than accounts mentioned in subsection (2).

(2) A lawyer's account may be paid without being settled by the legal accounts officer if,

- (a) the total account for fees and disbursements does not exceed \$1,200;
- (b) the account is submitted in the form specified by the legal accounts officer; and
- (c) there is no explicit request for a discretionary increase as mentioned in Note C to Schedule 1 or Note C to Schedule 2 of Ontario Regulation 107/99.

(3) At the president's request, the legal accounts officer shall settle an account under subsection (1) even though subsection (2) applies.

(4) An applicant or other person who is required to pay all or part of a lawyer's account for legal aid services may apply to a legal accounts officer for settlement of the account within 30 days after the account is mailed.

39. (1) On settling an account, the legal accounts officer shall send the lawyer who rendered it a notice of settlement of account, showing how the account has been dealt with and stating the amount at which it is settled.

(2) If an account is paid without being settled, the president shall send to the lawyer who rendered it a notice advising that the account has been paid without being settled and that section 46 applies.

40. (1) A lawyer who provides legal aid services under a certificate shall submit accounts to the president at least as frequently as the following requires:

- 1. No later than six months after the first anniversary of the date the certificate was issued, an account shall be submitted for all services provided and disbursements incurred during the 12-month period after the date the certificate was issued.
- 2. No later than six months after each subsequent anniversary, an account shall be submitted for all services provided and disbursements incurred during the corresponding 12-month period.

(2) Each account shall set out fees and disbursements, showing the date and description (and duration, if applicable) of each item, certified by the lawyer, and shall be accompanied by,

- (a) a statement as to whether the account is interim or final;
- (b) a copy of the certificate;
- (c) any other written authorization for legal aid services or the expenditure of money;

(d) the account of any counsel or agent engaged under the certificate, prepared in accordance with the regulations and certified by the counsel or agent;

(e) a copy of any report under subsection 13 (3);

(f) if the lawyer was employed by the applicant to provide any services with respect to the same matter before the certificate was issued,

(i) a detailed statement of those services,

(ii) a detailed statement of any disbursements made before the certificate was issued, and

(iii) a statement of any payment made by the applicant to the lawyer for those services and disbursements;

(g) a copy of any court order relating to the matter and purporting to affect the Corporation; and

(h) any further or other supporting material that the legal accounts officer requests.

(3) A lawyer who submits an account and supporting material under subsection (2) shall also, subject to subsection (4),

(a) send a copy of the account to the applicant and to every person who signed an agreement to contribute to the cost of the legal aid services provided under the certificate; and

(b) send the applicant a copy of any statements provided under clause (2) (f).

(4) The area director may direct the lawyer not to provide the copies if, in the area director's opinion, doing so could cause the applicant prejudice or embarrassment.

41. (1) A lawyer who acts as duty counsel shall, promptly after performing his or her duties, submit to the president,

(a) an account, in the form specified by the legal accounts officer, showing the times during which and the places at which he or she was engaged as duty counsel; and

(b) any claim for expenses.

(2) The account shall be submitted within six months after the services to which it relates were completed.

42. (1) If an account does not comply with subsection 40 (1) or 41 (2), as the case may be,

(a) the Corporation is not required to pay the account; and

(b) the account shall be returned to the lawyer with an appropriate reference to this section.

(2) Despite subsection (1), the president has discretion, on the lawyer's application, to extend the time during which the account may be submitted; in exercising the discretion, the president shall take into account whether or not the Corporation (or the applicant, if subsection 40 (1) applies) has been prejudiced by the delay.

(3) The application for an extension shall be made to the president and shall explain why the extension is necessary.

43. Fees otherwise payable under the Act and the regulations may be disallowed in whole or in part if they relate to,

(a) a proceeding that was,

- (i) unreasonably taken or prolonged,
 - (ii) not likely to advance the applicant's interests, or
 - (iii) incurred through negligence;
- (b) the preparation of a document that is improper, unnecessary or of unreasonable length; or
- (c) other preparation that is unreasonable in its nature or scope or in the time spent.

44. (1) A lawyer whose account was paid without being settled and who is dissatisfied with the amount paid may request that the legal accounts officer settle the account.

(2) The request shall be made within 60 days after the account is paid, and shall set out the items objected to and the grounds of objection.

(3) The legal accounts officer shall settle the account.

45. (1) A lawyer may request that the legal accounts officer review an account if it was settled under section 38 or 44 and the lawyer is dissatisfied with the amount paid.

(2) The request shall be made within 60 days after the account is settled, and shall set out the items objected to and the grounds of objection.

(3) The legal accounts officer shall review the account and may amend or confirm the amount.

46. (1) If an account is paid without being settled the president may, within two years after the date of the payment, make such enquiries as he or she considers necessary to verify that the account as submitted was for an amount properly payable under the Act and the regulations.

(2) The president shall cause accounts that were paid without being settled to be verified on a random basis within the two-year period.

47. (1) If the president has reasonable grounds to believe that an account as submitted is or was not properly payable under the Act and the regulations, he or she may conduct an investigation to determine the question.

(2) The investigation may be conducted at any time before or after the account has been paid.

APPEALS OF ACCOUNTS

48. (1) A lawyer whose account was reviewed under section 45 and who is dissatisfied with the amount paid may appeal to an assessment officer appointed under section 90 of the *Courts of Justice Act* with respect to,

- (a) the interpretation or application of the regulations; or
- (b) the principles on which the legal accounts officer has exercised his or her discretion.

(2) The appeal shall be commenced by serving a notice of appeal on the Corporation within 60 days after the legal accounts officer gave his or her decision.

(3) The notice of appeal shall identify the decision appealed from and state the grounds of appeal.

(4) After serving the notice of appeal, the appellant shall obtain an appointment from the assessment officer for the hearing of the appeal and give the Corporation at least 60 days notice of the hearing.

(5) The parties to the appeal may appear in person or by counsel.

(6) The assessment officer's decision shall be given in the form of a certificate issued to the parties, and is final.

SERVICE AND DELIVERY OF DOCUMENTS

49. (1) When this Regulation requires that a document be served, service may be made,

- (a) by personal service or by an alternative to personal service in accordance with the *Rules of Civil Procedure*;
- (b) in the case of the president or an area director, by prepaid mail addressed to the person at his or her office;
- (c) in the case of an applicant, by prepaid mail addressed to his or her last known address;
- (d) in the case of a lawyer, by prepaid mail addressed to his or her office.

(2) When this Regulation requires that a document be sent, this may be done,

- (a) by service in accordance with subsection (1);
- (b) in the case of an applicant, by prepaid mail addressed to the lawyer, if any, acting for the applicant.

(3) When a document is sent by prepaid mail, it is deemed to be delivered on the seventh day after mailing.

TRANSITION, REVOCATION AND COMMENCEMENT

50. With respect to the period before April 19, 1999,

- (a) references in this Regulation to the Family Court of the Superior Court of Justice are deemed to be references to the Family Court of the Ontario Court (General Division); and
- (b) references in this Regulation to the Ontario Court of Justice are deemed to be references to the Ontario Court (Provincial Division).

51. (1) The following are revoked:

- 1. Regulation 710 of the Revised Regulations of Ontario, 1990.
- 2. Ontario Regulations 657/92, 729/92, 421/93, 273/94, 68/95, 536/95, 130/96, 131/96 and 63/99.

(2) Despite subsection (1), section 98 of Regulation 710 (six-month rule for accounts) continues to apply in respect of certificates issued before April 1, 1999.

52. This Regulation comes into force on April 1, 1999.

SIDNEY B. LINDEN
Chair
Transitional Board

Dated on March 2, 1999.

13/99

ONTARIO REGULATION 107/99
made under the
LEGAL AID SERVICES ACT, 1998

Made: March 10, 1999

Filed: March 11, 1999

GENERAL

1. (1) The classes of applicants for legal aid services are:

1. Applicants for certificates.
2. Applicants for legal aid services to be provided by duty counsel.
3. Applicants for legal aid services to be provided by a clinic.

(2) The financial eligibility requirements for applicants for certificates are as set out in the document entitled "Financial Eligibility Criteria: Ontario Legal Aid Plan Policies and Procedures Manual", dated April 1, 1997 and produced by the Ontario Legal Aid Plan.

(3) The financial eligibility requirements for applicants for legal aid services to be provided by duty counsel are as set out in the document entitled "Duty Counsel: Financial Eligibility Test", being chapter 6 of the Duty Counsel Manual dated April, 1998 and produced by the Ontario Legal Aid Plan.

(4) The financial eligibility requirements for applicants for legal aid services to be provided by a clinic are as set out in the document entitled "CFC Policy Guidelines on Financial Eligibility", dated May, 1993 and produced by the Ontario Legal Aid Plan.

2. For the purposes of Part IV of the Act, a person is responsible with respect to an applicant for a certificate if,

- (a) the person is legally responsible to support the applicant;
- (b) the person has a personal relationship with the applicant because of which the applicant, in the area director's opinion, would have a reasonable expectation of financial assistance in a situation as serious as one for which the application for legal aid services is made; or
- (c) the person would, in the area director's opinion, receive a direct benefit if legal aid services were provided to the applicant.

3. (1) This section applies in respect of fees and disbursements paid to,

- (a) lawyers who provide services under certificates; and
- (b) lawyers who act as duty counsel and are not employees of the Corporation or of a clinic.

(2) Fees and disbursements shall be determined as follows:

1. Fees shall be calculated under Schedules 1, 2, 3, 4 and 5.
2. Disbursements shall be calculated under Schedule 6.
3. Fees and disbursements shall be calculated,
 - i. if clause (1) (a) applies, in accordance with this section and the Schedules as they read at the time the certificate is issued, regardless of when the service is provided or the disbursement made, and
 - ii. if clause (1) (b) applies, in accordance with this section and the Schedules as they read at the time the service is provided or the disbursement is made.
4. No person shall be paid for providing more than 10 hours of services in one day. In calculating time for the purpose of this para-

graph, each hour in court spent at trial or in a preliminary inquiry shall be considered one half-hour.

5. The fees to be paid to a lawyer for services provided in a particular fiscal year shall not exceed,

- i. \$157,500 for a lawyer with four years of certified experience or less,
- ii. \$177,190 for a lawyer with more than four but less than 10 years of certified experience, and
- iii. \$196,875 for a lawyer with 10 or more years of certified experience.

For the purposes of this paragraph, a lawyer is considered to have certified experience to the extent that he or she certifies his or her experience under Item 14 of the Table to Schedule 1 or under Item 24 of the Table to Schedule 2 for the purpose of obtaining an experience allowance.

6. The president may authorize a greater payment than the applicable amount under paragraph 5 if he or she considers it necessary to ensure the representation of an applicant.

4. (1) A lawyer is entitled to the payment of fees and disbursements for services provided under a certificate only if,

- (a) the lawyer's name was on the appropriate panel or subpanel at the time the services were provided; and
- (b) the services provided were within the scope of the certificate as amended from time to time.

(2) Despite clause (1) (a), a lawyer who is required or permitted to complete work under subsection 30 (2) or 33 (3) of Ontario Regulation 106/99 may receive payment for legal aid services that are undertaken under the certificate while his or her name is on the appropriate panel or subpanel but completed after it is removed.

(3) A lawyer who is not employed by the Corporation is entitled to the payment of fees and disbursements for a duty counsel service only if his or her name was on the list for the appropriate panel or subpanel at the time the service was provided.

(4) Subsection (3) does not apply with respect to clinic law duty counsel services.

5. (1) A lawyer who accepts a certificate for the defence of a criminal proceeding shall promptly notify the area director if any of the following circumstances exist:

1. For a matter other than a charge of first degree or second degree murder, the total fees and disbursements are likely to exceed \$20,000.
2. For a charge of first degree or second degree murder, the total fees and disbursements are likely to exceed \$30,000.
3. For a proceeding involving more than one accused person, the total fees and disbursements for all accused persons are likely to exceed \$50,000.
4. The preliminary hearing is likely to take more than two weeks.

(2) On receiving the notice, the area director may hold a case management meeting to set a budget for the proceeding.

(3) Before the case management meeting, the area director may request summaries and other materials about the case and the lawyer shall comply with the request.

(4) The area director and every lawyer providing services under a certificate in the proceeding shall attend the case management meeting.

(5) The persons attending the case management meeting shall attempt to agree on a budget; if they are unable to agree, the area director may set one.

(6) The budget shall,

(a) list the steps in the proceeding that a reasonable applicant of modest means would authorize under a private retainer, if advised of the available options, the potential results and the costs involved; and

(b) specify an amount of money that represents the anticipated total fees and disbursements for those steps.

(7) The area director shall inform the president of the outcome of the case management meeting and the details of the budget.

(8) A decision of the area director setting the budget may be appealed to the president.

(9) A lawyer who is providing services under a certificate for the proceeding and anticipates that the fees and disbursements are likely to exceed the amount set out in the budget shall promptly notify the area director.

(10) On receiving the notice, the area director may hold a case management meeting to review and, if appropriate, amend the budget; in that case, subsections (4) to (8) apply with necessary modifications.

(11) The functions of the area director under this section may be performed by a person whom the area director designates.

(12) The accounts for services provided under a certificate for the proceeding shall be settled in accordance with the Schedules and the budget.

6. The following requirements apply to the contingency reserve fund mentioned in subsection 66 (4) of the Act:

1. The Corporation shall establish an account in accordance with section 55 of the Act, for the purpose of holding the fund, and shall pay into it the capital amount of \$20,000,000.

2. The amount of the fund shall not exceed the total of,

i. the original capital amount, as increased under paragraph 3, if applicable,

ii. any interest earned on the amount mentioned in subparagraph i, and

iii. any income from investments under section 7.

3. The Corporation may, with the approval of the Lieutenant Governor in Council, obtained in advance, increase the capital amount of the fund.

4. Subject to paragraphs 5 and 6, the Corporation may withdraw capital amounts from the fund to cover its operating costs.

5. The Corporation shall notify the Attorney General of each withdrawal of capital.

6. The Corporation may make a withdrawal that will increase the total capital amount withdrawn from the fund beyond \$5,000,000 only with the Attorney General's approval, obtained in advance. The request for the Attorney General's approval shall include,

i. an explanation of why the withdrawal is needed,

ii. a schedule for repayment, and

iii. a statement of the Corporation's plans for preventing a similar need from arising in future.

7. The Corporation may withdraw interest or investment income from the fund at any time to fund the provision of legal aid services. Notice to the Attorney General is not required.

8. The Corporation shall give the Attorney General quarterly financial reports showing the balance in the fund, broken down as to capital and income.

9. At the end of the 2001-02 fiscal year, the Corporation shall conduct a comprehensive review of the operation of the fund since April 1, 1999, and shall submit a report on the review to the Attorney General.

7. (1) The investment powers set out in this section are prescribed for the purposes of subsection 57 (1) of the Act.

(2) The Corporation may invest in:

1. Bonds, debentures, promissory notes or other evidence of indebtedness issued or guaranteed by,

i. Canada or a province or territory of Canada, or

ii. an agency of Canada or of a province or territory of Canada.

2. Bonds, debentures, promissory notes or other evidence of indebtedness of a corporation if,

i. the bond, debenture or other evidence of indebtedness is secured by the assignment to a trustee, as defined in the *Trustee Act*, of payments that Canada or a province or territory of Canada has agreed to make or is required to make under a federal, provincial or territorial statute, and

ii. the payments referred to in subparagraph i are sufficient to meet the amounts payable under the bonds, debentures or other evidence of indebtedness, including the amounts payable at maturity.

3. Deposit receipts, deposit notes, certificates of deposit or investment, acceptances or similar instruments issued, guaranteed or endorsed by,

i. a bank listed in Schedule I or II to the *Bank Act* (Canada),

ii. a loan corporation or trust corporation registered under the *Loan and Trust Corporations Act*,

iii. a credit union or league to which the *Credit Unions and Caisses Populaires Act, 1994* applies, or

iv. the Province of Ontario Savings Office.

(3) The Corporation shall not invest in a security that is expressed or payable in any currency other than Canadian dollars.

(4) Before the Corporation invests in a security prescribed by this Regulation, the board of directors of the Corporation shall, if it has not already done so, adopt a statement of the Corporation's investment policies and goals.

(5) If the Corporation has an investment in a security prescribed by this Regulation, the board shall require the president to prepare and provide to the board, each year or more frequently as specified by the board, an investment report.

(6) The investment report shall contain,

- (a) a statement about the performance of the Corporation's portfolio of investments during the period covered by the report;
 - (b) a statement by the president as to whether or not, in his or her opinion, all investments were made in accordance with the investment policies and goals in the statement adopted under subsection (4);
 - (c) any other information that the board may require or that, in the president's opinion, should be included.
- (7) If the Corporation makes investments directly rather than through an agent as mentioned in subsection 57 (2) of the Act, the members of the board are subject to the same standards as an agent would be under subsection 57 (3) of the Act.

8. With respect to the period before April 19, 1999,

- (a) references in this Regulation to the Family Court of the Superior Court of Justice are deemed to be references to the Family Court of the Ontario Court (General Division); and
- (b) references in this Regulation to the Ontario Court of Justice are deemed to be references to the Ontario Court (Provincial Division).

9. Despite its revocation by Ontario Regulation 106/99, Regulation 710 of the Revised Regulations of Ontario, 1990 continues to apply in respect of,

- (a) duty counsel services provided before April 1, 1999; and
- (b) services provided under certificates issued before that date.

10. This Regulation comes into force on April 1, 1999.

Schedule 1

FEES IN CRIMINAL MATTERS

NOTES

- A. The fees payable in criminal matters are set out in the Table to this Schedule and must be read in conjunction with these Notes and any qualifications or allowances set out in the Table.
- B. All fees in this Schedule are subject to increase or decrease in accordance with Note C and items 14.1 and 14.2 of the Table to this Schedule.
- C. This Schedule is a legal aid tariff reflecting fees customarily paid by a client of modest means and except in exceptional circumstances the fees provided for shall normally apply for the described legal aid services, but,
 - (a) at the written request of the lawyer, the fees may be increased by the legal accounts officer if in his or her opinion an increase is justified, having regard to all the circumstances, including,
 - (i) the result obtained,
 - (ii) the complexity of the matter,
 - (iii) the contributions of the applicant or other contributors,
 - (iv) the amount of time realistically set aside in anticipation of a lengthy trial which time was not otherwise filled by the lawyer, and
 - (v) any other relevant factor that would warrant an increased fee; and

- (b) the fees may be decreased by the legal accounts officer if in his or her opinion a decrease is appropriate,
 - (i) under section 43 of Ontario Regulation 106/99, or
 - (ii) where and to the extent that the fees charged exceed the amount of fees that would be allowed if the fees of the lawyer were assessed under the *Solicitors Act*.

- D. A lawyer shall prepare an account in accordance with this Schedule and shall provide details of services rendered, including the date, time of day, length of time, description of service and by whom the service was rendered.
- E. The legal accounts officer may require proof and justification of all items included in an account, either by the production of docket entries or otherwise.
- F. If a lawyer represents two or more persons charged with the same offence or a similar offence arising out of the same occurrence and if the pre-trial conferences with the Crown, judicial interim release proceedings, withdrawals of charges, pre-trial hearings, preliminary inquiries, trials, pleas of guilty or appeals are heard in the same court at approximately the same time, then, for the purposes of this Schedule, the lawyer is entitled to fees as for one client and to an increase of 40 per cent and such additional fees as may be appropriate in accordance with Note C.
- G. Where a lawyer represents a person charged with two or more offences and the pre-trial conferences with the Crown, judicial interim release proceedings, withdrawals of charges, pre-trial hearings, preliminary inquiries, trials, pleas of guilty or appeals are heard in the same court at approximately the same time, the lawyer is entitled to fees as for one charge and to such additional fees as may be appropriate in accordance with Note C.

Where a lawyer represents a person charged with two or more offences and the pre-trial conferences with the Crown, judicial interim release proceedings, withdrawals of charges, pre-trial hearings, preliminary inquiries, trials, pleas of guilty and appeals are not heard in the same court at approximately the same time, the lawyer is not entitled to fees for more than one charge unless the lawyer satisfies the legal accounts officer that the course of action taken by the lawyer was appropriate.

- H. Where a lawyer represents two or more persons, and one of them is a private retainer client and another of them is represented under a certificate, the lawyer shall disclose the fact of representing a private client to the legal accounts officer and shall prorate all disbursements and preparation between the private client and the applicant.
- I. If a lawyer can readily ascertain that a maximum allowed by this Schedule is clearly inadequate with respect to a matter for which a certificate has been issued, the lawyer shall forthwith advise the area director and the legal accounts officer of the details of the case and an estimate of the time and services required. Failure to do so will be a factor in the settlement of the lawyer's account.
- J. In any matter not dealt with by this Schedule, the legal accounts officer shall allow a reasonable fee and, in determining the fee properly payable in respect of the matter, shall have regard to this Schedule for comparable services.
- K. A lawyer may render interim accounts whenever his or her unbilled account balance, exclusive of disbursements, exceeds \$500 and at such other times as the legal accounts officer may permit. However, a lawyer may not render an interim account for services rendered in connection with appeals except when permitted by the legal accounts officer.
- L. The following rules apply to a case where junior counsel is retained:

1. For attendance in court, the junior counsel shall be paid 75 per cent of the hourly rate payable under this Schedule.
 2. For all services other than attendance in court, the junior counsel shall be paid the hourly rate payable under this Schedule, but without increase based on experience.
 3. The maximum time permitted on a case may be increased by 50 per cent.
- M. Where this Schedule specifies the maximum hours allowed for a group of services and a lawyer seeks payment for one or more but not all of those services, the legal accounts officer shall determine the number of hours for which the lawyer is entitled to payment. In making the determination, the legal accounts officer shall allow an appropriate number of hours having regard to the maximums specified in this Schedule.
- N. Subject to Notes B and L, the hourly rate payable for all services in criminal matters is \$67.

TABLE

PART I
OFFENCES

ITEM	COLUMN 1	COLUMN 2
ITEM		Maximum Hours Allowed
1. Offences		
1.1	Under the <i>Criminal Code</i> (Canada): kidnapping; hostage taking, aircraft offences(s.76,77); aggravated sexual assault; conspiracy to murder; criminal negligence causing death; choking; dangerous offender applications; extortion, killing unborn child; murder; manslaughter; robbery; sexual intercourse with female under 14; treason, except under paragraph 47 (2) (c); wounding; attempted murder; counselling to murder; abduction; aircraft offences (s. 78); aggravated assault; sexual assault with threats or weapon; arson (s. 433); any conspiracy charge other than conspiracy to murder; criminal negligence causing bodily harm; fabricating evidence; forcible confinement; incest; infanticide; dangerous driving causing death; impaired driving causing death; perjury; sexual intercourse with female 14—16; treason under paragraph 47 (2) (c); attempt to commit any offence named in this item or items 1.2 and 1.3 other than attempted murder; counselling any offence named in this item or items 1.2 and 1.3 other than counselling murder.	
1.2	Under the <i>Narcotic Control Act</i> (Canada): importing; trafficking or possession for the purpose of trafficking.	
1.3	Under the <i>Food and Drugs Act</i> (Canada): all offences where Crown proceeds by indictment (excluding cannabis offences).	
2. Services other than Attendance at Preliminary Inquiry and Trial		

ITEM	COLUMN 1	COLUMN 2
ITEM		Maximum Hours Allowed
2.1	For all services rendered in connection with preliminary inquiry and trial, including but not limited to, <ol style="list-style-type: none"> (a) all preparation, pretrial conferences with the Crown, judicial interim release hearings after the first hearing, variations of judicial interim release orders, judicial pretrials after the first judicial pretrial, waiting time, correspondence, communications, document preparation; and (b) adjournments and remands, but not including, <ol style="list-style-type: none"> (c) attendance at the preliminary inquiry or trial. 	
2.2	The following maximums apply to services under item 2.1: <ol style="list-style-type: none"> (a) for the first day of preliminary inquiry or trial where the inquiry and trial last 10 days or less and the applicant pleads guilty or the charges are withdrawn 13 (b) for the first day of preliminary inquiry or trial where the inquiry and trial last 10 days or less and the applicant does not plead guilty 15 (c) for the first day of preliminary inquiry or trial where the inquiry and trial last more than 10 days 22 (d) for each day of preliminary inquiry or trial after the first day 4 (e) in any event, the total maximum hours allowed under clauses (a) and (d), under clauses (b) and (d) or under clauses (c) and (d) is 64 	
3. Attendance at Preliminary Inquiry, Trial		
3.1	Attendance at preliminary inquiry or trial	No maximum

PART II
OFFENCES

ITEM	COLUMN 1	COLUMN 2
ITEM		Maximum Hours Allowed
4. Offences		
4.1	All indictable offences not included in Part I, sexual assault contrary to section 271 of the <i>Criminal Code</i> (Canada) and all hybrid offences where the Crown elects to proceed by indictment.	

ITEM	COLUMN 1	COLUMN 2
		Maximum Hours Allowed
5.	Fees	
5.1	For, (a) all preparation, pretrial conferences with the Crown, judicial interim release hearings after the first hearing, variations of judicial interim release orders, judicial pretrials after the first judicial pretrial, waiting time, correspondence, communications, document preparation; (b) adjournments and remands; and (c) a half-day in court for a plea of guilty, whether or not a charge for another offence referred to in item 4.1 is withdrawn, where the total time spent on services described in clause (a) does not exceed five hours	8.5
5.2	For, (a) all preparation, pretrial conferences with the Crown, judicial interim release hearings after the first hearing, variations of judicial interim release orders, judicial pretrials after the first judicial pretrial, waiting time, correspondence, communications, document preparation; (b) adjournments and remands; and (c) a half-day in court for a plea of guilty or a withdrawal of all charges, where the total time spent on services described in clause (a) exceeds five hours . . .	13
5.3	For, (a) all preparation, pretrial conferences with the Crown, judicial interim release hearings after the first hearing, variations of judicial interim release orders, judicial pretrials after the first judicial pretrial, waiting time, correspondence, communications, document preparation; (b) adjournments and remands; and (c) two half-days in court for a plea of guilty or a withdrawal of all charges . .	13
5.4	For, (a) all preparation, pretrial conferences with the Crown, judicial interim release hearings after the first hearing, variations of judicial interim release orders, judicial pretrials after the first judicial pretrial, waiting time, correspondence, communications, document preparation; (b) adjournments and remands; and	

ITEM	COLUMN 1	COLUMN 2
		Maximum Hours Allowed
	(c) two half-days in court following a plea of not guilty	15
5.5	Where an offence referred to in item 4.1 proceeds to a preliminary inquiry or trial and the inquiry and trial in total last more than two half-days, the case shall be billed in accordance with Part I of this Table and not in accordance with items 5.1 to 5.4.	
5.6	Despite item 5.5, where an offence referred to in item 4.1 is resolved by way of guilty plea and the inquiry and trial in total last more than two half-days, the lawyer shall receive fees, (a) in accordance with item 5.3, for services rendered up to and including one day in court; and (b) for each half-day in court after the first day, including preparation therefor, an additional	2.5

PART III OFFENCES

ITEM	COLUMN 1	COLUMN 2	COLUMN 3
		Maximum Hours Allowed 6.1 Offences	Maximum Hours Allowed 6.2 Offences
6.	Offences		
6.1	All summary conviction offences under the <i>Criminal Code</i> (Canada) and all hybrid offences where the Crown elects to proceed summarily.		
6.2	All provincial offences and all summary conviction offences under federal statutes other than the <i>Criminal Code</i> (Canada).		
7.	Fees		
7.1	For, (a) all preparation, pre-trial conferences with the Crown, judicial interim release hearings after the first hearing, variations of judicial interim release orders, judicial pretrials after the first judicial pretrial, waiting time, correspondence, communications, document preparation;		

ITEM	COLUMN 1	COLUMN 2	COLUMN 3
		Maximum Hours Allowed 6.1 Offences	Maximum Hours Allowed 6.2 Offences
7.2	(b) adjournments and remands; and (c) attendance in court, where a plea of guilty is entered	6	5
	For, (a) all preparation, pre-trial conferences with the Crown, judicial interim release hearings after the first hearing, variations of judicial interim release orders, judicial pre-trials after the first judicial pretrial, waiting time, correspondence, communications, document preparation; (b) adjournments and remands; and (c) attendance in court, where any charges are withdrawn, except where the accused is charged with more than one offence contrary to section 253 or with theft and possession arising out of the same set of circumstances ..	8.5	7
7.3	For, (a) all preparation, pre-trial conferences with the Crown, judicial interim release hearings after the first hearing, variations of judicial interim release orders, judicial pre-trials after the first judicial pretrial, waiting time, correspondence, communications, document preparation; (b) adjournments and remands; and (c) attendance in court for the first day of trial, where items 7.1 and 7.2 do not apply	10.5	9
7.4	Where item 7.1 or 7.2 applies, for each half-day of trial after the first day, including all preparation therefor, an additional	2.5	2.5
7.5	Where item 7.3 applies, for each day of trial after the first day, including all preparation therefor, an additional	5	5

**PART IV
ANCILLARY CRIMINAL PROCEEDINGS**

ITEM	COLUMN 1	COLUMN 2
		Maximum Hours Allowed
8.	Interim Release, <i>Canadian Charter of Rights and Freedoms</i>, Criminal Code Review Board Hearings, Pretrial Hearings	
8.1	For all preparation and attendance for the first application for judicial interim release	2
8.2	For all preparation, including drafting, serving and filing of the notice of motion and factum and for attendance at the hearing for the first application for an order pursuant to the <i>Canadian Charter of Rights and Freedoms</i>	2
8.3	For all preparation and attendance at the first judicial pretrial hearing with a judge	2
8.4	For all services for application to the Superior Court of Justice for review of orders made under section 515 of the <i>Criminal Code</i> (Canada), where approved by the area director	5
8.5	For all services rendered in connection with a Criminal Code Review Board hearing: (a) for all services other than attendance at the hearing, (i) for the first day of hearing ... (ii) for second day of hearing (b) for attendance at the hearing	10 8 No maximum
8.6	For all services for an application for interim release pending appeal to the Superior Court of Justice, the Court of Appeal or the Supreme Court of Canada or for an application for release pending a new trial	5
8.7	For all services for an extension of interim release pending appeal to the Superior Court of Justice, the Court of Appeal or the Supreme Court of Canada or for an extension of release pending a new trial	3
9.	Appeals to Superior Court of Justice	
9.1	For all services rendered in connection with a summary conviction appeal to the Superior Court of Justice other than attendance in court on the hearing of the appeal, (a) on appeal from conviction or from conviction and sentence	16
	(b) on appeal from sentence	14
9.2	For attendance on the hearing of the appeal	No maximum

ITEM	COLUMN 1	COLUMN 2
		Maximum Hours Allowed
9.3	<p>Despite items 9.1 and 9.2, on a stated case summary conviction appeal,</p> <p>(a) for an appearance in court as counsel on behalf of an applicant other than for an adjournment, setting a date for a future appearance or similar procedural matter;</p> <p>(a) for all services rendered in connection with the appeal, other than attendance in court on the hearing of the appeal, and for one day attendance on the hearing of the appeal</p> <p>(b) for each day attendance on the hearing of the appeal after the first day, including all preparation</p>	<p>11</p> <p>6.5</p>
10.	Appeals to the Court of Appeal	
10.1	For all services rendered in connection with an appeal to the Court of Appeal other than attendance in court on the hearing of the appeal.	
10.2	The following maximums apply to services under item 10.1:	
	(a) on appeal from conviction or from conviction and sentence	37
	(b) on appeal from sentence,	
	(i) if a plea of guilty was entered	14
	(ii) if the sentence followed a trial	16
10.3	For attendance on the hearing of the appeal	No maximum
11.	Appeals to the Supreme Court of Canada	
11.1	For all services rendered in connection with an appeal to the Supreme Court of Canada, other than attendance in court on the hearing of the application for leave to appeal and appeal.	
11.2	The following maximums apply to services under item 11.1:	
	(a) for application for leave to appeal	12
	(b) for hearing of appeal	37
11.3	For attendance on hearing of application for leave to appeal and appeal	No maximum
11.4	For receiving judgment	2
12.	Prerogative writs	
12.1	For all preparation	16
12.2	For attendance on hearing of prerogative writ	No maximum

**PART V
MISCELLANEOUS**

ITEM	COLUMN 1
	Description of Service
13.	Travel Time
13.1	<p>With the approval of the area director, travel time shall be allowed at the rate of \$43 per hour, where a lawyer travels more than 50 kilometres, one way, from his or her office,</p> <p>(b) for up to two visits before the preliminary inquiry with an applicant who is incarcerated;</p> <p>(c) for one visit before trial with an applicant who is incarcerated;</p> <p>(d) for one pre-trial conference with the judge before the preliminary inquiry;</p> <p>(e) for one pre-trial conference with the judge before the trial.</p>
13.2	An appeal from the decision of the area director lies to the area committee and a further appeal lies to the president.
13.3	Despite item 13.1, in appeals to the Ontario Court of Appeal and the Supreme Court of Canada, travel time shall be allowed at a rate of \$43 per hour where a lawyer travels more than 50 kilometres, one way, from his or her office for an appearance as counsel on behalf of the applicant.
13.4	Travel time shall not be allowed where a lawyer travels within the following areas:
13.4	Travel time shall not be allowed where a lawyer travels within the following areas:
	<ol style="list-style-type: none"> 1. The Regional Municipality of Durham. 2. The part of the City of Toronto formerly known as the City of Etobicoke. 3. The Regional Municipality of Halton. 4. The part of the City of Toronto formerly known as the City of North York. 5. The Regional Municipality of Peel. 6. The part of the City of Toronto formerly known as the City of Scarborough. 7. The parts of the City of Toronto formerly known as the City of Toronto incorporated under the <i>City of Toronto Act, 1834</i>, the City of York and the Borough of East York. 8. The Regional Municipality of York.
13.5	The fee allowed for travel time within southern Ontario shall not exceed 30 per cent of the total fee allowed for the services rendered as settled by the legal accounts officer.
13.6	For the purposes of this Schedule, the dividing line between northern Ontario and southern Ontario is as follows:

ITEM	COLUMN 1
	Description of Service
	Healy Lake (Municipal) Road from Healy Lake easterly to its junction with Highway 612; Highway 612 to Highway 103; Highway 103 easterly to its junction with Highway 69; Highway 69 easterly to its junction with Highway 118; Highway 118 through Bracebridge to its junction with Highway 11; Highway 11 northerly to its junction with Highway 60 at Huntsville; Highway 60 easterly to its junction with Highway 62 at Killaloe Station; Highway 62 to Pembroke; the above-named highways to be included in southern Ontario.
14.	Experience Allowances
14.1	Fees set out in this Schedule are subject to an increase of 12.5 per cent for a lawyer who certifies that he or she has the equivalent of four years of practice in criminal law.
14.2	Fees set out in this Schedule are subject to an increase of 25 per cent for a lawyer who certifies that he or she has the equivalent of 10 years of practice in litigation, including at least four years of practice in criminal law.
14.3	For the purpose of this Schedule, (a) practice in litigation means practice in civil litigation or practice in criminal law; and (b) years of practice in criminal law or litigation are calculated by multiplying the total number of years in practice by the percentage of the lawyer's practice that is criminal law or litigation, as the case may be.
15.	Other Matters
15.1	In any matter referred to in subsection 25 (4) or (5) of the Act, the fee shall be in the discretion of the legal accounts officer who shall have regard to the importance and difficulty of the work.
15.2	The legal accounts officer may allow a fee in proper cases for any services rendered with respect to an application to an area committee under subsection 25 (4) or (5) of the Act when such services have been rendered at the request of and for the use of the area committee.
15.3	The legal accounts officer may allow a fee to a lawyer for the preparation of an opinion, for an additional opinion or for the lawyer's attendance to make further submissions when requested by the area committee or the area director.
15.4	A lawyer shall be paid an administrative fee in the amount of one-half hour of the hourly rate upon signing and returning the acceptance and undertaking of a certificate.
16.	Young Offenders
16.1	The fee payable for all services for a successful application for alternative measures shall be the fee payable for a guilty plea by an adult for the same type of offence.
16.2	Fees shall be allowed for proceedings under the <i>Young Offenders Act</i> (Canada) at the same rate as is provided under the Act creating the offence.

Schedule 2

FEEs IN CIVIL MATTERS

NOTES

A. The fees payable in civil litigation, family law and child protection matters are set out in the Table to this Schedule and must be

read in conjunction with these Notes and any qualifications or allowances set out in the Table.

- A.1 The Table is divided into Parts that are applicable as follows:
1. Part I sets out the basic hourly rate applicable to civil litigation, family law and child protection matters.
 2. Part II A applies to civil litigation matters.
 3. Part II B applies to family law matters; advising complainants in family violence criminal matters is included as a family law matter.
 4. Part II C applies to child protection matters under the *Child and Family Services Act*.
 5. Part II D applies to civil litigation, family law and child protection matters.
 6. Part II E applies to appeals.
 7. Part II F applies to immigration and refugee matters.
 8. Part II G applies to matters before administrative boards and tribunals.
 9. Part II H applies to other matters.
 10. Part III applies to block fee matters.
 11. Part IV applies to travel time, experience allowances and other matters.
- B. All fees in this Schedule are subject to an increase or decrease in accordance with Note C and items 24.1 and 24.2 of the Table to this Schedule.
- C. This Schedule is a legal aid tariff reflecting fees customarily paid by a client of modest means and except in exceptional circumstances the fees provided for shall normally apply for the described legal services, but,
- (a) at the written request of the lawyer, the fees may be increased by the legal accounts officer if in his or her opinion an increase is justified, having regard to all the circumstances, including,
 - (i) the result obtained,
 - (ii) the complexity of the matter,
 - (iii) the contributions of the applicant or other contributors,
 - (iv) the amount of time realistically set aside in anticipation of a lengthy trial or hearing which time was not otherwise filled by the lawyer, and
 - (v) any other relevant factor that would warrant an increased fee; and
 - (b) the fees may be decreased by the legal accounts officer if in his or her opinion a decrease is appropriate,
 - (i) under section 43 of Ontario Regulation 106/99, or
 - (ii) where and to the extent that the fees charged exceed the amount of fees that would be allowed if the fees of the lawyer were assessed under the *Solicitors Act*.

D. A lawyer shall prepare an account in accordance with this Schedule and shall provide details of services rendered, including the date, time of day, length of time, description of service and by whom the service was rendered.

E. The legal accounts officer may require proof and justification of all items included in an account, either by the production of docket entries or otherwise.

F. If a lawyer represents two or more persons in the same proceeding or if a lawyer represents a person in two or more proceedings and, in either case, if the trials, hearings or appeals are heard in the same court or forum at approximately the same time, then, for the purposes of this Schedule, the lawyer shall be entitled to fees as for one client on one proceeding and such additional fees as may be appropriate in accordance with Note C.

G. If a lawyer can readily ascertain that a maximum allowed by this Schedule is clearly inadequate with respect to a matter for which a certificate has been issued, the lawyer shall promptly advise the area director and the legal accounts officer of the details of the case and an estimate of the time and services required. Failure to do so will be a factor in the settlement of the lawyer's account.

H. In any matter not dealt with by this Schedule, the legal accounts officer shall allow a reasonable fee and, in determining the fee properly payable in respect of the matter, shall have regard to this Schedule for comparable services.

I. A lawyer may render interim accounts: after all interim motions are concluded; after completion of examinations for discovery; after a pre-trial conference; and at such other times as the legal accounts officer may permit. However, a lawyer may not render an interim account for services rendered in connection with appeals except when permitted by the legal accounts officer.

J. The following rules apply to a case where junior counsel is retained:

1. For attendance in court, the junior counsel shall be paid 75 per cent of the hourly rate payable under this Schedule.
2. For all services other than attendance in court, the junior counsel shall be paid the hourly rate payable under this Schedule, but without increase based on experience.
3. The maximum time permitted on a case may be increased by 50 per cent.

K. A fee may be allowed in the discretion of the legal accounts officer for negotiating a settlement whether or not a settlement has been effected or a proceeding has been initiated.

L. Where this Schedule specifies the maximum hours allowed for a group of services and a lawyer seeks payment for one or more but not all of those services, the legal accounts officer shall determine the number of hours for which the lawyer is entitled to payment. In making the determination, the legal accounts officer shall allow an appropriate number of hours having regard to the maximums specified in this Schedule.

TABLE

**PART I
HOURLY RATE
JUDICIAL OR QUASI-JUDICIAL PROCEEDINGS**

ITEM	COLUMN 1	COLUMN 2
	Description of Service	Rate Per Hour
1. Hourly Rate		
1.1	For all matters in the Supreme Court of Canada, Ontario Court of Appeal, Superior Court of Justice, Federal Court of Canada, Ontario Court of Justice or a surrogate	

ITEM	COLUMN 1	COLUMN 2
	Description of Service	Rate Per Hour
	court or quasi-judicial or administrative boards or commissions and for other matters referred to in Part II of the Table	\$67
1.2	The hourly rate shall not be paid where, under Part III, this Table provides for the payment of a block fee.	
1.3	Part II of the Table sets out in Column 2 the maximum hours allowed for the professional services described opposite thereto in Column 1.	

**PART II
MAXIMUM HOURS ALLOWED**

ITEM	COLUMN 1	COLUMN 2
	Description of Service	Maximum Hours Allowed
	A. CIVIL LITIGATION	
2. Institution of a Proceeding		
2.1	For preliminary interviews, advising and receiving instructions for the commencement or defence of an action or application before a court or before a quasi-judicial or administrative board or commission, including preparation and issuance of originating process other than a pleading	2.5
2.2	For preparation and delivery of all pleadings, including affidavits in support of or in response to an application, demand and reply to demand for particulars	4
3. Discoveries and Examinations		
3.1	For preparation of notice to produce documents and affidavits on production, production and inspection of documents and preparation for discoveries or for examinations on applications or motions, <ul style="list-style-type: none"> (a) for the first hour of each examination (b) for each additional hour of examination 	2 1
3.2	The maximum hours allowed under item 3.1 is	7
3.3	For attendance on discovery or examination on an application or motion	No maximum
3.4	For preparation and delivery of request to admit and response to request to admit . . .	2
4. Motions and Other Interlocutory Hearings		

ITEM	COLUMN 1	COLUMN 2
	Description of Service	Maximum Hours Allowed
4.1	For procedural motions without notice, for all services, including preparation of notice of motion and affidavits, preparation and attendance at hearing, if required, and settling, signing and entering the order	1
4.2	For all other motions and interlocutory hearings including appeals to the Superior Court of Justice, (a) for all services, including preparation of notice of motion or notice of appeal and affidavits, preparation for hearing, and settling, signing and entering the order, but not including attendance at hearing	4.5
	(b) for attendance at hearing	No maximum
4.3	On motion for leave to appeal from the disposition of a motion under item 4.1 or 4.2, for all preparation	2
4.4	For attendance at hearing or adjournment of a motion for leave to appeal from a disposition of a motion under item 4.1 or 4.2	No maximum
5.	Pre-Trial Conferences and Issues Hearings	
5.1	For all preparation for a pre-trial conference, case conference or issues hearing	2
5.2	For attendance on a pre-trial conference, case conference or an issues hearing	No maximum
6.	Correspondence and Communications	
6.1	For all necessary correspondence and communications (with billing being allowed a maximum of 0.2 hours)	3
	B. FAMILY LAW	
7.	Family Law	
7.1	The maximums provided in items 7.2 to 7.10 include all services before the first pre-trial hearing, including interviews, correspondence, communications, pleadings, preparation of financial statements, discovery, production, disclosure, case management meetings with a judge, opinion letters, reporting and billing (with billing being allowed a maximum of 0.2 hours).	
7.2	For applications and proceedings under the <i>Divorce Act</i> (Canada), the <i>Family Law Act</i> and the <i>Children's Law Reform Act</i> , and for the negotiation of domestic contracts under the <i>Family Law Act</i>	12
7.3	For matters in which custody or both custody and access is in issue, an additional	15

ITEM	COLUMN 1	COLUMN 2
	Description of Service	Maximum Hours Allowed
7.4	For matters in which access is in issue, an additional	7.5
7.5	For matters in which spousal support or child support or both is in issue, an additional	9
7.6	For matters in which any of possession, ownership, entitlement, identification or calculation of net family property or equalization payment is in issue, an additional	8
7.7	For matters in which an order restraining contact between spouses is sought or is in issue, an additional	4
7.8	For interviews and advice to complainant in a family violence criminal matter	2
7.9	For all services in connection with an application to vary an existing order or agreement for child or spousal support, including interviews, advice, preparation of a financial statement, obtaining financial disclosure and documentation, correspondence, communications, negotiation, attendance at a variation conference and reporting on it, and drafting and filing respondent's emergency pleadings in the respondent's name	7.5
7.10	For initiating or responding to a court application to vary a support order or agreement, for all services following the completion of the variation conference to the end of the first pre-trial conference, an additional	10
7.11	For all preparation for and attendance at the first pretrial conference, case conference, settlement conference or issues hearing	4
	C. CHILD PROTECTION	
8.	Child Protection	
8.1	The maximums provided in items 8.2 and 8.3 include all services up to the end of the first pre-trial hearing, including interviews, correspondence, communications, pleadings, opinion letters, preparation for and attendance at status review hearings, reporting and billing (with billing being allowed a maximum of 0.2 hours).	
8.2	All proceedings under the <i>Child and Family Services Act</i> for all services where a children's aid society is seeking an order for society supervision or wardship	19
8.3	In proceedings under the <i>Child and Family Services Act</i> where a children's aid society is seeking an order for Crown wardship	22

ITEM	COLUMN 1	COLUMN 2
	Description of Service	Maximum Hours Allowed
8.4	For all services for a motion for temporary care and custody	6
8.5	For preparation for and attendance at a status review hearing	6
D. LITIGATION		
9.	Trials, References and Hearings	
9.1	For setting the action or application down for trial, preparing and delivering notice of trial, attendance at assignment court and all preparation for a trial, reference or hearing of an application and preparation during the trial, reference or hearing, (a) after the final pre-trial conference and before the first day of attendance at a trial, reference or hearing	15
	(b) for each day of attendance at a trial, reference or hearing after the first day	4
9.2	For attendance at a trial, reference or hearing of an application	No maximum
9.3	For an adjournment of a trial, reference or hearing of an application	No maximum
10.	Matters Subsequent to Trial, Reference or Hearing	
10.1	For all necessary matters subsequent to a trial, reference or hearing of an application, including signing and entering judgment but excluding matters provided for in items 10.2, 10.3, 10.4 and 10.5	2
10.2	For all preparation for and attendance on appointment to settle judgment	1
10.3	For all preparation for and attendance on assessment of bill of costs, obtaining assignment of costs and filing execution ..	3
10.4	For all preparation for and attendance on examination in aid of execution	2
10.5	For all preparation for and attendance at a default hearing in the Ontario Court of Justice or the Family Court of the Superior Court of Justice	2
10.6	For all other necessary matters including preparation and filing request to enforce and preparing and issuing notice of garnishment	2
E. APPEALS		
11.	Appeals Combined with Motion for Leave	
11.1	If a motion for leave to appeal and the hearing of the appeal are heard at approximately the same time, the lawyer is entitled to fees for the appeal only.	

ITEM	COLUMN 1	COLUMN 2
	Description of Service	Maximum Hours Allowed
12.	Appeals to the Supreme Court of Canada	
12.1	For all preparation for leave to appeal . . .	17
12.2	For attendance on application for leave to appeal	No maximum
12.3	For all preparation for appeal	37
12.4	For attendance on appeal	No maximum
13.	Appeals to the Court of Appeal, Federal Court of Appeal	
13.1	For all preparation of motion for leave to appeal	12
13.2	For attendance on motion for leave to appeal	No maximum
13.3	For all preparation for appeal	27
13.4	For attendance on appeal	No maximum
14.	Appeals to the Superior Court of Justice	
14.1	For all preparation, including drawing and filing notice of appeal and appeal books ..	16
14.2	For attendance on appeal	No maximum
F. IMMIGRATION AND REFUGEE MATTERS		
15.	Immigration and Refugee Matters	
15.1	In matters before the Convention Refugee Determination Division of the Immigration and Refugee Board, appeals to the Appeals Division, and inquiries before an adjudicator, for all preparation before the hearing including interviews, advice, completion of the personal information form, preparation for prehearing proceedings, opinion letters, communications, correspondence and motions	16
15.2	Despite item 15.1, where the application is from a country for which the success rate of applications for refugee status exceeds 90 per cent, for all services mentioned in item 15.1	10
15.3	Despite item 15.1, in expedited applications before the Convention Refugee Determination Division, for all services mentioned in item 15.1	8
15.4	For attendance at the hearing or prehearing	No maximum
15.5	For a review of a detention order,	

ITEM	COLUMN 1	COLUMN 2
	Description of Service	Maximum Hours Allowed
	(a) for all preparation	3
	(b) for all preparation for each subsequent detention review	1
	(c) for attendance at the hearing	No maximum
15.6	For all services relating to submissions to the Minister and applications on humanitarian and compassionate grounds .	10
15.7	For applications for judicial review and appeals to the Federal Court,	
	(a) for all preparation for the motion for leave	15
	(b) for all preparation for the appeal or application	15
	(c) despite clauses (a) and (b), for total preparation for the leave application and the appeal or application	27
	(d) for attendance on the appeal or application	No maximum
15.8	For applications to stay deportation,	
	(a) for all preparation	6.5
	(b) for attendance on the stay application	No maximum
16.	G. ADMINISTRATIVE BOARDS AND TRIBUNALS	
16.1	Administrative Boards and Tribunals	
	(a) For all preparation before the first day of hearing before the Consent and Capacity Board, the Ontario Parole Board, the Federal Parole Board or the Warden's Court	10
	(b) For all preparation before the first day of hearing before other quasi-judicial or administrative boards or tribunals	8
	(c) For all preparation before each subsequent day of hearing	2
	(d) For attendance at the hearing	No maximum
	(e) For preparation for the separate hearing of a second issue in a matter under the <i>Mental Health Act</i> , the <i>Substitute Decisions Act</i> , 1992 or the <i>Health Care Consent Act</i> , 1996	3
17.	H. OTHER MATTERS	
17.1	Wills	
	For all services in drawing a will, together with or without a power of attorney	4

**PART III
BLOCK FEES**

ITEM	COLUMN 1	COLUMN 2
	Description of Service	Block Fee
18.	Uncontested Divorces	
18.1	For an uncontested divorce proceeding, including preliminary attendances, opinion letters, preparing and issuing petition, service and all other necessary matters including correspondence, uncontested procedural motions, motion for judgment, discoveries, preparation for trial, setting down for trial, attendance at trial, where necessary, and all matters subsequent to trial, including obtaining a certificate for divorce	nil
18.2	If an order for costs is granted, for all services in taking out the judgment, including preparation of a bill of costs, attendance on the assessment of costs, obtaining the assignment of costs and filing execution	nil
18.3	In items 18.1 and 18.2, an uncontested divorce is one in which no claim is made for any relief which is in issue between the parties.	
19.	Uncontested Change of Name Applications	
19.1	For all services in an appeal from the refusal of an application for a change of name under the <i>Change of Name Act</i>	\$284
20.	Uncontested Adoption Applications	
20.1	For all services in an uncontested adoption application,	
	(a) if licence required	\$500
	(b) if licence not required	340
21.	Motions under the <i>Wages Act</i>	
21.1	For all services including preparation, drafting affidavits and other documents and attendances on the judge in a motion under section 7 of the <i>Wages Act</i>	\$112
22.	Small Claims Court	
22.1	If the amount involved is \$200 or less,	
	(a) for preparation of claim	\$34
	(b) for preparation of dispute	34
	(c) for attendance at trial	84
22.2	If the amount involved exceeds \$200 but does not exceed \$400,	
	(a) for preparation of claim	44
	(b) for preparation of dispute	44
	(c) for attendance at trial	112
22.3	If the amount involved exceeds \$400,	
	(a) for preparation of claim	56

ITEM	COLUMN 1	COLUMN 2
	Description of Service	Block Fee
	(b) for preparation of dispute	56
	(c) for attendance at trial	140
22.4	For all proceedings on an application for a consolidation order in the Small Claims Court including searches, affidavits, service, correspondence and attendances on the judge and clerk	140
22.5	For negotiating and drawing an agreement for the rateable distribution of payments by a debtor among the creditors	140
22.6	For receiving and distributing payments made pursuant to an agreement referred to in item 22.5, the fee is 6 per cent of the amount received.	

**PART IV
MISCELLANEOUS**

ITEM	COLUMN 1
	Description of Service
23. Travel Time	
23.1	With the approval of the area director, travel time shall be allowed at the rate of \$43 per hour where a lawyer travels more than 50 kilometres, one way, from his or her office for an appearance as counsel on an adjournment, contested motion, examination for discovery, settlement conference, pre-trial hearing or trial on behalf of an applicant or where a lawyer necessarily travels more than 50 kilometres, one way, from his or her office to interview an applicant or witness.
23.2	An appeal from the decision of the area director lies to the area committee and a further appeal lies to the president.
23.3	Despite item 23.1, in appeals to the Ontario Court of Appeal and the Supreme Court of Canada and in appeals or judicial review applications in the Federal Court and in hearings before the Convention Refugee Determination Division of the Immigration and Refugee Board, travel time shall be allowed at the rate of \$43 per hour where a lawyer travels more than 50 kilometres, one way, from his or her office for an appearance as counsel on behalf of the applicant.
23.4	Travel time shall not be allowed where a lawyer travels within the following areas: <ol style="list-style-type: none"> 1. The Regional Municipality of Durham. 2. The part of the City of Toronto formerly known as the City of Etobicoke. 3. The Regional Municipality of Halton. 4. The part of the City of Toronto formerly known as the City of North York. 5. The Regional Municipality of Peel. 6. The part of the City of Toronto formerly known as the City of Scarborough. 7. The parts of the City of Toronto formerly known as the City of Toronto incorporated under the <i>City of Toronto Act, 1834</i>, the City of York and the Borough of East York.

ITEM	COLUMN 1
	Description of Service
	8. The Regional Municipality of York.
23.5	The fee allowed for travelling time within southern Ontario shall not exceed 30 per cent of the total fee allowed for the services rendered as settled by the legal accounts officer.
23.6	For the purposes of this Schedule, the dividing line between northern Ontario and southern Ontario is as follows: <p>Healy Lake (Municipal) Road from Healy Lake easterly to its junction with Highway 612; Highway 612 to Highway 103; Highway 103 easterly to its junction with Highway 69; Highway 69 easterly to its junction with Highway 118; Highway 118 through Bracebridge to its junction with Highway 11; Highway 11 northerly to its junction with Highway 60 at Huntsville; Highway 60 easterly to its junction with Highway 62 at Killaloe Station; Highway 62 to Pembroke; the above-named highways to be included in southern Ontario.</p>
24. Experience Allowances	
24.1	Fees set out in this Schedule are subject to an increase of 12.5 per cent for a lawyer who certifies that he or she has the equivalent of four years of practice in civil litigation.
24.2	Fees set out in this Schedule are subject to an increase of 25 per cent for a lawyer who certifies that he or she has the equivalent of 10 years of practice in litigation, including at least four years of practice in civil litigation.
24.3	For the purpose of this Schedule, <ol style="list-style-type: none"> (a) practice in litigation means practice in civil litigation or practice in criminal law; and (b) years of practice in civil litigation or litigation are calculated by multiplying the total number of years in practice by the percentage of the lawyer's practice that is civil litigation or litigation, as the case may be.
25. Other Matters	
25.1	In any matter referred to in subsection 25 (4) or (5) of the Act, the fee shall be in the discretion of the legal accounts officer who shall have regard to the importance and difficulty of the work.
25.2	The legal accounts officer may allow a fee in proper cases for any services rendered with respect to an application to an area committee under subsection 25 (4) or (5) of the Act when such services have been rendered at the request of and for the use of the area committee.
25.3	The legal accounts officer may allow a fee to a lawyer for the preparation of an opinion, for an additional opinion or for the lawyer's attendance to make further submissions when requested by the area committee or the area director.
25.4	For drawing documents, other than contracts, if the subject-matter or nature thereof is properly or customarily within the scope of the professional duties of a lawyer, the fee is \$67 per hour.
25.5	A lawyer shall be paid an administrative fee in the amount of one-half hour of the hourly rate upon signing and returning the acceptance and undertaking of a certificate.

Schedule 3

FEEES FOR LAWYERS PROVIDING

SERVICES OF LAW CLERKS,

ARTICLED STUDENTS AND INVESTIGATORS

ITEM	COLUMN 1	COLUMN 2
	Description	Fee
1.	Fees for law clerks, articulated students and investigators in the employ of the lawyer, per hour	\$23

NOTES

A. Where Schedules 1 and 2 provide a total fee for a particular service, the fee payable for the service shall include any services provided by any one or more of a law clerk, articulated student or investigator. Where all of the service has been provided by any one or more of such persons, the fee payable for the services is the lesser of the total fee calculated under Schedule 1 or 2 and the amount calculated under this Schedule.

B. Where Schedules 1 and 2 provide a maximum number of hours of preparation, any allowance for fees under this Schedule shall be considered as part of the total allowable fees and be included in the maximum. However, in applying the maximum, the hours billed under Schedules 1 and 2 shall be applied first.

Schedule 4

FEEES FOR DUTY COUNSEL

ITEM	COLUMN 1	COLUMN 2
	Description Service Provided	Rate Per Hour
1.	Subject to item 2, performance of duties as duty counsel under section 24 of Ontario Regulation 106/99, to a maximum of five hours	\$57
2.	With the approval of the area director, a travel allowance for the time spent travelling to and from the place where the lawyer's services are performed, where the distance is 50 kilometres or more, one way, and the lawyer satisfies the area director that the travel was reasonable and necessary under the circumstances	43
3.	Travel time shall not be allowed where a lawyer travels within the following areas: 1. The Regional Municipality of Durham. 2. The part of the City of Toronto formerly known as the City of Etobicoke. 3. The Regional Municipality of Halton. 4. The part of the City of Toronto formerly known as the City of North York. 5. The Regional Municipality of Peel.	

ITEM	COLUMN 1	COLUMN 2
	Description Service Provided	Rate Per Hour
	6. The part of the City of Toronto formerly known as the City of Scarborough. 7. The parts of the City of Toronto formerly known as the City of Toronto incorporated under the <i>City of Toronto Act, 1834</i> , the City of York and the Borough of East York. 8. The Regional Municipality of York.	

NOTES

- A. Subject to clause 3 (1) (b) of this Regulation, duty counsel are entitled to payment for services provided when scheduled.
- B. On the recommendation of the area director and with the approval of the president, the maximum number of hours permitted under item 1 may be increased.
- C. If the board is of the opinion that special circumstances apply, duty counsel providing services in remote areas of northern Ontario may be paid at a daily rate of \$800 rather than the hourly rate in this Schedule.
- D. For the purposes of Note C, the dividing line between northern Ontario and southern Ontario is the same as is set out in item 13.6 of the Table to Schedule 1.
- E. In addition to the hourly fees payable under this Schedule, a duty counsel shall be paid an appearance fee of,
- (a) \$40 per day per court for an appearance in the family court, criminal court or young offenders court;
- (b) \$40 per day per location for an attendance at a jail, a mental hospital or a legal advice location;
- (c) \$40 per authorization for providing family violence advice up to a maximum of one authorization per day; and
- (d) \$40 per authorization for acting as a special duty counsel up to a maximum of one authorization per day.

Schedule 5

FEEES OF ADVICE LAWYERS

ITEM	COLUMN 1	COLUMN 2
	Description Service Provided	Rate Per Hour
1.	Interviews and advice to applicants including any necessary correspondence, up to a maximum of three hours	\$57

Schedule 6

DISBURSEMENTS

1. A lawyer who has provided services to an applicant is entitled to be paid the following out-of-pocket disbursements actually and reasonably incurred:
1. Disbursements, not being witness fees, required to be made by or under any statute.

2. Witness fees and travelling expenses of witnesses in accordance with statute, rule or regulation applicable to the proceeding and if no provision is applicable, then in accordance with the *Rules of Civil Procedure* in civil matters and the *Administration of Justice Act* in criminal matters.
3. With the prior approval of the president or the legal accounts officer, the services of a person entitled by law or practice to give expert or opinion evidence may be engaged and the reasonable and proper fees paid therefor at the rate specified by the legal accounts officer in the authorization.
4. Fees payable to a court reporter for a transcript of evidence or reasons for judgment for use on an appeal authorized by a certificate.
5. A lawyer's travelling expenses where the distance travelled is 50 kilometres or more, one way, from his or her office to the place where his or her duties are performed and where travel time has been approved by the area director or is permitted under Schedule 1, item 13, Schedule 2, item 23 or Schedule 4, item 2.
6. Long distance telephone and telecommunication charges.
7. The actual cost of copies of documents purchased from a court office or from the office of a government or government agency and in any other case, 10 cents for each page.
8. Postage, express or courier charges on the shipment of parcels of documents, transcripts of evidence or exhibits for use on an application or on an appeal and in any other case, courier and express charges to a maximum of \$20.

9. With the approval of the president or the legal accounts officer, any other proper disbursement, including any deposit or other payment that may be required, made in furtherance of the proceeding or matter, which approval shall, except in an emergency, be obtained before the disbursement is made.

13/99

ONTARIO REGULATION 108/99
made under the
HEALTH INSURANCE ACT

Made: March 10, 1999
Filed: March 11, 1999

Amending Reg. 552 of R.R.O. 1990
(General)

Note: Since the end of 1997, Regulation 552 has been amended by Ontario Regulations 2/98, 44/98, 87/98, 111/98, 145/98, 146/98, 147/98, 172/98, 236/98, 375/98, 376/98, 377/98, 378/98, 478/98, 479/98, 528/98, 567/98, 575/98, 58/99, 59/99, 60/99 and 85/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Item 59 of Part I of Schedule 5 to Regulation 552 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

59. Scarborough Yee Hong Rehabilitation Centre

13/99

ONTARIO REGULATION 109/99
made under the
FRENCH LANGUAGE SERVICES ACT

Made: March 10, 1999
Filed: March 11, 1999

Amending O. Reg. 398/93
(Designation of Public Service Agencies)

Note: Since the end of 1997, Ontario Regulation 398/93 has been amended by Ontario Regulation 100/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Section 1 of Ontario Regulation 398/93 is amended by adding the following designation:

Clinique juridique bilingue Windsor-Essex/Windsor-Essex Bilingual Legal Clinic in respect of the programs carried out on behalf of the Ministry of the Attorney General.

13/99

RÈGLEMENT DE L'ONTARIO 109/99
pris en application de la
LOI SUR LES SERVICES EN FRANÇAIS

pris le 10 mars 1999
déposé le 11 mars 1999

modifiant le Règl. de l'Ont. 398/93
(Désignation d'organismes offrant des services publics)

Remarque : Depuis la fin de 1997, le Règlement de l'Ontario 398/93 a été modifié par le Règlement de l'Ontario 100/98. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1997.

1. L'article 1 du Règlement de l'Ontario 398/93 est modifié par adjonction de la désignation suivante :

Clinique juridique bilingue Windsor-Essex/Windsor-Essex Bilingual Legal Clinic à l'égard des programmes exécutés pour le compte du ministère du Procureur général.

ONTARIO REGULATION 110/99
made under the
PESTICIDES ACT

Made: March 10, 1999

Filed: March 12, 1999

Amending Reg. 914 of R.R.O. 1990
(General)

Note: Since the end of 1997, Regulation 914 has been amended by Ontario Regulations 129/98, 405/98, 482/98 and 484/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Subsections 2 (3) and (4) of Regulation 914 of the Revised Regulations of Ontario, 1990 are revoked.

2. Subsection 20.1 (9) of the Regulation is amended by inserting "or the *Fertilizers Act* (Canada)" after "*Pest Control Products Act* (Canada)" in the sixth line.

3. Section 21 of the Regulation is revoked and the following substituted:

21. (1) In this section,

"registrant", with respect to a pesticide, means the person who registers the pesticide under the *Pest Control Products Act* (Canada) or the *Fertilizers Act* (Canada), and includes the Canadian agent for the registrant of the pesticide under the *Pest Control Products Act* (Canada).

(2) The Committee shall accept and consider an application from a registrant for the classification of a pesticide.

(3) Subject to subsection (4), the Committee shall classify the pesticide as a Schedule 1, 2, 3, 4, 5 or 6 pesticide, as it considers appropriate having regard to the Act and the scheme of this Regulation.

(4) The Committee may refuse to classify the pesticide if it is of the opinion that,

- (a) the Committee does not have sufficient information on which to base a decision;
- (b) proper use of the pesticide, as described on its label and in accordance with the Act and this Regulation, is likely to have one or more of the effects mentioned in clauses 49 (3) (a), (b), (c), (d), (e) and (f) of the Act, to an extent that is excessive, unreasonable or unnecessary; or
- (c) it is not in the public interest to classify the pesticide.

(5) The Committee may reclassify a pesticide if it considers it appropriate to do so having regard to the Act and the scheme of this Regulation,

- (a) at the request of the registrant;
- (b) with the consent of the registrant; or
- (c) after the Committee has notified the registrant and considered any submissions made by the registrant.

(6) The Committee may declassify a pesticide if it considers it appropriate to do so having regard to the Act and the scheme of this Regulation,

- (a) at the request of the registrant; or

(b) with the consent of the registrant.

(7) The Committee may declassify a pesticide,

- (a) if the pesticide is no longer registered under the *Pest Control Products Act* (Canada) or the *Fertilizers Act* (Canada); or
- (b) for any of the reasons described in subsection (4), after the Committee has notified the registrant of newly available scientific or other information and considered any submissions made by the registrant.

(8) The Committee shall maintain a written record called the "Compendium of Scheduled Pesticides" that sets out, for every scheduled pesticide,

- (a) the name of the pesticide;
- (b) the pesticide's registration number under the *Pest Control Products Act* (Canada) or the *Fertilizers Act* (Canada);
- (c) the name and address of the registrant, including, if the pesticide is registered under the *Pest Control Products Act* (Canada), the name and address of the Canadian agent; and
- (d) the schedule to which the pesticide has been classified.

(9) If the name or other identifying information of a pesticide in the Compendium of Scheduled Pesticides does not correspond to the name or other identifying information of the pesticide for the same registration number under the *Pest Control Products Act* (Canada) or the *Fertilizers Act* (Canada), as the case may be, the pesticide shall be deemed to be the pesticide named under that Act for the registration number that appears in the Compendium of Scheduled Pesticides.

(10) A pesticide that was a Schedule 1, 2, 3, 4, 5 or 6 pesticide before April 1, 1999 shall be deemed to continue as a Schedule 1, 2, 3, 4, 5 or 6 pesticide, as the case may be, subject to reclassification under subsection (5) or declassification under subsections (6) or (7).

(11) Subject to subsection (10), a pesticide that was listed in *The Ontario Gazette* during the 18 months before April 1, 1999 as a proposed addition to a specified Schedule to this Regulation shall be deemed to be a pesticide of that Schedule, subject to reclassification under subsection (5) or declassification under subsections (6) or (7).

(12) Subsection (11) does not apply if a revocation of the listing was published in *The Ontario Gazette* before April 1, 1999.

(13) The Committee shall maintain written records of all amendments to the Compendium of Scheduled Pesticides.

(14) The Committee shall make the Compendium of Scheduled Pesticides and the records of amendments to it available for inspection by the public at the office of the Committee during ordinary business hours, and on the Internet, through the web site of the Ministry of the Environment at www.ene.gov.on.ca.

(15) The Committee shall make available for distribution to the public, on request, printed copies of the Compendium of Scheduled Pesticides and the records of amendments to it.

4. Section 131 of the Regulation is revoked.

5. Tables 1 and 2 and Schedules 1, 2, 3, 4, 5 and 6 to the Regulation are revoked.

6. Form 11 of the Regulation is revoked.

7. This Regulation comes into force on April 1, 1999.

ONTARIO REGULATION 111/99
made under the
SOCIAL HOUSING FUNDING ACT, 1997

Made: March 10, 1999
Filed: March 12, 1999

Amending O. Reg. 488/97
(General)

Note: Ontario Regulation 488/97 has previously been amended by Ontario Regulations 101/98, 170/98, 267/98, 281/98, 456/98, 636/98 and 44/99.

1. (1) Section 2 of Ontario Regulation 488/97 is amended by adding the following paragraphs:

- 2.1 District of Kenora Social Services Administration Board.
- 2.2 District of Manitoulin-Sudbury Social Services Administration Board.

(2) Paragraph 7 of section 2 of the Regulation is revoked and the following substituted:

- 7. District of Thunder Bay Social Services Administration Board.

2. (1) Section 4 of the Regulation is amended by adding the following subsection:

(1.1) Despite subsection (1), provincial social housing costs mentioned in subsection (1) that are paid by the Minister in January of a year shall be deemed to be incurred in the January billing period of that year.

(2) Subsection 4 (2) of the Regulation is amended by striking out "Despite subsection (1)" at the beginning and substituting "Despite subsections (1) and (1.1)".

(3) Section 4 of the Regulation is amended by adding the following subsection:

(5.1) Despite subsection (5), provincial social housing costs mentioned in subsection (5) that are paid by the Minister under the Ontario Community Housing Assistance Program in January of a year shall be deemed to be incurred in the January billing period of that year.

(4) Subsection 4 (6) of the Regulation is amended by striking out "Despite subsection (5)" at the beginning and substituting "Despite subsections (5) and (5.1)".

3. (1) Subsections 6 (1) and (1.1) of the Regulation are revoked and the following substituted:

(1) Subject to subsections (1.1) and (2) and section 7.6, provincial social housing costs to be recovered from an entity are the costs incurred or to be incurred in a billing period with respect to housing within the geographic area over which the entity has jurisdiction.

(1.1) Despite section 7.6, the provincial social housing costs to be recovered from each of the following entities are the costs incurred or to be incurred in a billing period with respect to housing within the geographic area for which the entity is the delivery agent under Ontario Regulation 136/98:

- 1. The Regional Municipality of Haldimand-Norfolk.
- 2. The Regional Municipality of Hamilton-Wentworth.
- 3. The Regional Municipality of Niagara.

- 4. The Regional Municipality of Ottawa-Carleton.
- 5. The Regional Municipality of Sudbury.
- 6. The Regional Municipality of Waterloo.
- 7. The District Municipality of Muskoka.
- 8. City of Brantford.
- 9. County of Bruce.
- 10. Municipality of Chatham-Kent.
- 11. City of Cornwall.
- 12. County of Dufferin.
- 13. County of Grey.
- 14. County of Hastings.
- 15. County of Huron.
- 16. City of Kingston.
- 17. County of Lambton.
- 18. County of Lanark.
- 19. United Counties of Leeds and Grenville.
- 20. County of Lennox and Addington.
- 21. City of London.
- 22. County of Northumberland.
- 23. County of Oxford.
- 24. City of Peterborough.
- 25. United Counties of Prescott and Russell.
- 26. County of Renfrew.
- 27. County of Simcoe.
- 28. City of Stratford.
- 29. City of St. Thomas.
- 30. County of Victoria.
- 31. County of Wellington.
- 32. City of Windsor.
- 33. District of Algoma Social Services Administration Board.
- 34. District of Cochrane Social Services Administration Board.
- 35. District of Kenora Social Services Administration Board.
- 36. District of Manitoulin-Sudbury Social Services Administration Board.
- 37. District of Nipissing Social Services Administration Board.
- 38. District of Parry Sound Social Services Administration Board.
- 39. District of Rainy River Social Services Administration Board.
- 40. District of Sault Ste. Marie Social Services Administration Board.
- 41. District of Thunder Bay Social Services Administration Board.

42. District of Timiskaming Social Services Administration Board.

(2) Subsections 6 (3) and (5) of the Regulation are revoked.

4. Tables 2, 3, 4, 10, 11, 17, 21 and 22 to the Regulation are revoked.

5. (1) The Schedule to the Regulation is amended by striking out "Adjustment Into Society Incorporated", "House of Compassion of Toronto", "St. Matthew's House" and "Velleman Non-Profit Housing Corporation".

(2) The Schedule to the Regulation is further amended by adding the following items:

Accommodation, Information and Support, Inc.

Plainfield Non-Profit Housing Corp.

6. The Regulation, as it read immediately before April 1, 1999, continues to apply to the recovery of provincial social housing costs in respect of billing periods that end before April 1, 1999.

7. This Regulation comes into force on April 1, 1999.

13/99

ONTARIO REGULATION 112/99
made under the
DISTRICT SOCIAL SERVICES ADMINISTRATION
BOARDS ACT

Made: March 10, 1999

Filed: March 12, 1999

Amending O. Reg. 278/98
(General)

Note: Ontario Regulation 278/98 has previously been amended by Ontario Regulation 37/99.

1. (1) The definition of "weighted assessment" in subsection 6 (1) of Ontario Regulation 278/98 is revoked and the following substituted:

"weighted assessment" means,

(a) with respect to property that is in a subclass to which section 368.1 of the *Municipal Act* applies, the taxable assessment for the property, as reduced by the percentage reduction that applies with respect to that assessment under section 368.1 of the *Municipal Act* and multiplied by the tax ratio of the property class that the property is in, and

(b) in all other cases, the taxable assessment for a property multiplied by the tax ratio of the property class that the property is in.

(2) Section 6 of the Regulation is amended by adding the following subsection:

(2.1) The costs of social services attributable to the areas of the board under subsection (2) include only those costs for which the board is responsible.

2. (1) The Regulation is amended by adding the following Schedules:

Schedule 2.1

THE DISTRICT OF KENORA SOCIAL SERVICES
ADMINISTRATION BOARD

1. The district for the District of Kenora Social Services Administration Board is the District of Kenora.

2. The District of Kenora Social Services Administration Board shall consist of 15 members and the areas they represent and the manner of their appointment shall be as follows:

1. Area 1 is the area of jurisdiction of The Corporation of the City of Dryden and one member shall be appointed by its municipal council to represent Area 1.
2. Area 2 is the area of jurisdiction of The Corporation of the Town of Jaffray Melick and one member shall be appointed by its municipal council to represent Area 2.
3. Area 3 is the area of jurisdiction of The Corporation of the Town of Keewatin and one member shall be appointed by its municipal council to represent Area 3.
4. Area 4 is the area of jurisdiction of The Corporation of the Town of Kenora and one member shall be appointed by its municipal council to represent Area 4.
5. Area 5 is the area of jurisdiction of The Corporation of the Town of Sioux Lookout and one member shall be appointed by its municipal council to represent Area 5.
6. Area 6 is the area of jurisdiction of The Corporation of the Township of Ear Falls and one member shall be appointed by its municipal council to represent Area 6.
7. Area 7 is the area of jurisdiction of The Corporation of the Township of Ignace and one member shall be appointed by its municipal council to represent Area 7.
8. Area 8 is the area of jurisdiction of The Corporation of the Township of Machin and one member shall be appointed by its municipal council to represent Area 8.
9. Area 9 is the area of jurisdiction of The Corporation of the Township of Pickle Lake and one member shall be appointed by its municipal council to represent Area 9.
10. Area 10 is the area of jurisdiction of The Corporation of the Municipality of Red Lake and one member shall be appointed by its municipal council to represent Area 10.
11. Area 11 is the area of jurisdiction of The Corporation of the Township of Sioux Narrows and one member shall be appointed by its municipal council to represent Area 11.
12. Area 12 is that part of the territory without municipal organization within the district for the District of Kenora Social Services Administration Board that is described as follows and one member shall be selected jointly by the residents of that area to represent Area 12:

Madsen Electoral Area which takes in all the unincorporated area easterly from the western intersection of the 11th baseline and the Manitoba border to the intersection of the Thunder Bay District; thence, southerly along the Thunder Bay District western boundary until the intersection of a line of latitude drawn across the northern border of Grand Trunk Block 10; thence, westerly along the line of latitude drawn across the northern border of Grand Trunk Block 10 to the Manitoba border; thence,

northerly along the Manitoba border to the intersection of the 11th baseline.

13. Area 13 is that part of the territory without municipal organization within the district for the District of Kenora Social Services Administration Board that is described as follows and one member shall be selected jointly by the residents of that area to represent Area 13:

Oxdrift Electoral Area which takes in all the unincorporated area southerly from the intersection of the southern border of the Madsen Area and the western boundary of the Thunder Bay District to the northern boundary of the Rainy River District; thence, westerly along the northern boundary of the Rainy River District to the intersection of a line of longitude drawn to travel along the western boundary of Bridges Township; thence, northerly along the line of longitude drawn to travel along the western boundary of Bridges Township to the intersection of the southern boundary of the Madsen Area; thence, easterly along the southern boundary of the Madsen Area to the intersection of the western boundary of the Thunder Bay District.

14. Area 14 is that part of the territory without municipal organization within the district for the District of Kenora Social Services Administration Board that is described as follows and one member shall be selected jointly by the residents of that area to represent Area 14:

Lake of the Woods North Area which takes in all the unincorporated area easterly from the Manitoba border along the southern boundary of the Madsen Area to the intersection of the western boundary of the Oxdrift Area; thence, southerly along the western boundary of the Oxdrift Area to the intersection of the north side of Highway 17; thence, westerly along the north side of Highway 17 to the intersection of the Manitoba border; thence, northerly along the Manitoba border to the intersection of the southern boundary of the Madsen Area.

15. Area 15 is that part of the territory without municipal organization within the district for the District of Kenora Social Services Administration Board that is described as follows and one member shall be selected jointly by the residents of that area to represent Area 15:

Lake of the Woods South Area which takes in all the unincorporated area easterly from the Manitoba border along the south side of Highway 17 to the intersection of the western boundary of the Oxdrift Area; thence, southerly along the western boundary of the Oxdrift Area to the intersection of the northern boundary of the Rainy River District; thence, westerly along the northern boundary of the Rainy River District to the Manitoba border; thence, northerly along the Manitoba border to the intersection of the south side of Highway 17, excluding areas annexed to The Corporation of the Township of Lake of the Woods and the Nestor Falls Local Services Board.

Schedule 2.2

THE DISTRICT OF SUDBURY-MANITOULIN SOCIAL SERVICES ADMINISTRATION BOARD

1. The district for the District of Sudbury-Manitoulin Social Services Administration Board is the District of Manitoulin and that part of the District of Sudbury that does not include the area of jurisdiction of The Corporation of the Regional Municipality of Sudbury.

2. The District of Sudbury-Manitoulin Social Services Administration Board shall consist of 14 members and the areas they represent and the manner of their appointment shall be as follows:

1. Area 1 is the area of jurisdiction of The Corporation of the Town of Espanola and two members shall be appointed by its municipal council to represent Area 1.
2. Area 2 is the area of jurisdiction of the following municipalities and two members shall be appointed jointly by the municipal councils of those municipalities to represent Area 2:
 - i. The Corporation of the Township of Sables-Spanish Rivers.
 - ii. The Corporation of the Township of Baldwin.
 - iii. The Corporation of the Township of Nairn and Hyman.
3. Area 3 is the area of jurisdiction of the following municipalities and three members shall be appointed jointly by the municipal councils of those municipalities to represent Area 3:
 - i. The Corporation of the Municipality of Markstay-Warren.
 - ii. The Corporation of the Municipality of St.-Charles.
 - iii. The Corporation of the Municipality of French River.
 - iv. The Corporation of the Municipality of Killarney.
4. Area 4 is the area of jurisdiction of The Corporation of the Township of Chapleau and one member shall be appointed by its municipal council to represent Area 4.
5. Area 5 is the area of jurisdiction of the following municipalities and one member shall be appointed jointly by the municipal councils of those municipalities to represent Area 5:
 - i. The Corporation of the Township of Cockburn Island.
 - ii. The Corporation of the Township of Barrie Island.
 - iii. The Corporation of the Township of Burpee and Mills.
 - iv. The Corporation of the Township of Gordon.
 - v. The Corporation of the Town of Gore Bay.
 - vi. The Corporation of the Township of Billings.
6. Area 6 is the area of jurisdiction of the following municipalities and two members shall be appointed jointly by the municipal councils of those municipalities to represent Area 6:
 - i. The Corporation of the Township of Central Manitoulin.
 - ii. The Corporation of the Township of Tehkummah.
 - iii. The Corporation of the Town of Northeast Manitoulin and The Islands.
 - iv. The Corporation of the Township of Assiginack.
7. Area 7 is the territory without municipal organization within the district for the District of Sudbury-Manitoulin District Social Services Administration Board and three members shall be selected by the residents of that territory to represent Area 7.

(2) Schedule 6 to the Regulation is revoked and the following substituted:

Schedule 6

THE DISTRICT OF THUNDER BAY SOCIAL SERVICES ADMINISTRATION BOARD

1. The district for the Thunder Bay Social Services Administration Board is the District of Thunder Bay.

2. The District of the Thunder Bay Social Services Administration Board shall consist of 13 members and the areas they represent and the manner of their appointment shall be as follows:

1. One member at large shall be appointed by the Lieutenant Governor in Council.
2. Area 1 is the area of jurisdiction of the following municipalities and one member shall be appointed jointly by the municipal councils of those municipalities to represent Area 1:
 - i. The Corporation of the Municipality of Oliver Paipoonge.
 - ii. The Corporation of the Township of Shuniah.
 - iii. The Corporation of the Township of O'Connor.
 - iv. The Corporation of the Municipality of Neebing.
 - v. The Corporation of the Township of Conmee.
 - vi. The Corporation of the Township of Gillies.
3. Area 2 is the area of jurisdiction of the following municipalities and one member shall be appointed jointly by the municipal councils of those municipalities to represent Area 2:
 - i. The Corporation of the Township of Nipigon.
 - ii. The Corporation of the Township of Red Rock.
 - iii. The Corporation of the Township of Dorion.
4. Area 3 is the area of jurisdiction of the following municipalities and one member shall be appointed jointly by the municipal councils of those municipalities to represent Area 3:
 - i. The Corporation of the Town of Geraldton.
 - ii. The Corporation of the Town of Longlac.
 - iii. The Corporation of the Township of Beardmore.
 - iv. The Corporation of the Township of Nakina.

5. Area 4 is the area of jurisdiction of the following municipalities and one member shall be appointed jointly by the municipal councils of those municipalities to represent Area 4:

- i. The Corporation of the Township of Terrace Bay.
- ii. The Corporation of the Township of Schreiber.

6. Area 5 is the area of jurisdiction of the following municipalities and one member shall be appointed jointly by the municipal councils of those municipalities to represent Area 5:

- i. The Corporation of the Town of Marathon.
- ii. The Corporation of the Township of Manitouwadge.

7. Area 6 is the area of jurisdiction of The Corporation of the City of Thunder Bay and six members shall be appointed by the municipal council of The Corporation of the City of Thunder Bay to represent Area 6.

8. Area 7 is the territory without municipal organization within the district for the District of Thunder Bay Social Services Administration Board and one member shall be selected by the residents of that territory to represent Area 7.

3. In 1999, the day by which the following boards must give the notice required under subsection 7 (1) of the Regulation shall be June 30 rather than March 31:

1. The District of Kenora Social Services Administration Board.
2. The District of Sudbury-Manitoulin Social Services Administration Board.
3. The District of Thunder Bay Social Services Administration Board.

4. This Regulation comes into force on April 1, 1999.

13/99

ONTARIO REGULATION 113/99
made under the
ONTARIO WORKS ACT, 1997

Made: March 4, 1999
Filed: March 12, 1999

Amending O. Reg. 136/98
(Designation of Geographic Areas and Delivery Agents)

Note: Ontario Regulation 136/98 has previously been amended by Ontario Regulations 279/98, 544/98, 545/98 and 33/99.

1. Schedule 1 to Ontario Regulation 136/98 is revoked and the following substituted:

RÈGLEMENT DE L'ONTARIO 113/99
pris en application de la
LOI DE 1997 SUR LE PROGRAMME
ONTARIO AU TRAVAIL

pris le 4 mars 1999
déposé le 12 mars 1999

modifiant le Règl. de l'Ont. 136/98
(Désignation de zones géographiques et d'agents de présentations des services)

Remarque : Le Règlement de l'Ontario 136/98 a été modifié antérieurement par les Règlements de l'Ontario 279/98, 544/98, 545/98 et 33/99.

1. L'annexe 1 du Règlement de l'Ontario 136/98 est abrogée et remplacée par ce qui suit :

Schedule 1

ITEM	COLUMN 1	COLUMN 2
	Geographic Areas	Delivery Agents
1.	City of Toronto	City of Toronto
2.	Regional Municipality of Durham	Regional Municipality of Durham
3.	Regional Municipality of Haldimand-Norfolk	Regional Municipality of Haldimand-Norfolk
4.	Regional Municipality of Halton	Regional Municipality of Halton
5.	Regional Municipality of Hamilton-Wentworth	Regional Municipality of Hamilton-Wentworth
6.	Regional Municipality of Niagara	Regional Municipality of Niagara
7.	Regional Municipality of Ottawa-Carleton	Regional Municipality of Ottawa-Carleton
8.	Regional Municipality of Peel	Regional Municipality of Peel
9.	Regional Municipality of Sudbury	Regional Municipality of Sudbury
10.	Regional Municipality of Waterloo	Regional Municipality of Waterloo
11.	Regional Municipality of York	Regional Municipality of York
12.	District Municipality of Muskoka	District Municipality of Muskoka
13.	County of Brant and City of Brantford	City of Brantford
14.	County of Bruce	County of Bruce
15.	Municipality of Chatham-Kent	Municipality of Chatham-Kent
16.	County of Dufferin	County of Dufferin
17.	City of St. Thomas and County of Elgin	City of St. Thomas
18.	City of Windsor, County of Essex and Township of Pelee	City of Windsor
19.	Frontenac Management Board and City of Kingston	City of Kingston
20.	County of Grey and City of Owen Sound	County of Grey
21.	County of Hastings, City of Belleville and City of Quinte West	County of Hastings
22.	County of Huron	County of Huron
23.	County of Lambton	County of Lambton
24.	County of Lanark and Town of Smith Falls	County of Lanark

Annexe 1

NUMÉRO	COLONNE 1	COLONNE 2
	Zones géographiques	Agents de prestation des services
1.	Cité de Toronto	Cité de Toronto
2.	Municipalité régionale de Durham	Municipalité régionale de Durham
3.	Municipalité régionale de Haldimand-Norfolk	Municipalité régionale de Haldimand-Norfolk
4.	Municipalité régionale de Halton	Municipalité régionale de Halton
5.	Municipalité régionale de Hamilton-Wentworth	Municipalité régionale de Hamilton-Wentworth
6.	Municipalité régionale de Niagara	Municipalité régionale de Niagara
7.	Municipalité régionale d'Ottawa-Carleton	Municipalité régionale d'Ottawa-Carleton
8.	Municipalité régionale de Peel	Municipalité régionale de Peel
9.	Municipalité régionale de Sudbury	Municipalité régionale de Sudbury
10.	Municipalité régionale de Waterloo	Municipalité régionale de Waterloo
11.	Municipalité régionale de York	Municipalité régionale de York
12.	Municipalité de district de Muskoka	Municipalité de district de Muskoka
13.	Comté de Brant et Cité de Brantford	Cité de Brantford
14.	Comté de Bruce	Comté de Bruce
15.	Municipalité de Chatham-Kent	Municipalité de Chatham-Kent
16.	Comté de Dufferin	Comté de Dufferin
17.	Cité de St. Thomas et Comté d'Elgin	Cité de St. Thomas
18.	Cité de Windsor, Comté d'Essex et Canton de Pelee	Cité de Windsor
19.	Conseil de gestion de Frontenac et Cité de Kingston	Cité de Kingston
20.	Comté de Grey et Cité d'Owen Sound	Comté de Grey
21.	Comté de Hastings, Cité de Belleville et Cité de Quinte West	Comté de Hastings
22.	Comté de Huron	Comté de Huron
23.	Comté de Lambton	Comté de Lambton
24.	Comté de Lanark et Ville de Smith Falls	Comté de Lanark

ITEM	COLUMN 1	COLUMN 2
	Geographic Areas	Delivery Agents
25.	United Counties of Leeds and Grenville, City of Brockville, Town of Gananoque and Town of Prescott	United Counties of Leeds and Grenville
26.	County of Lennox and Addington and County of Prince Edward	County of Lennox and Addington
27.	City of London and County of Middlesex	City of London
28.	County of Northumberland	County of Northumberland
29.	County of Oxford	County of Oxford
30.	County of Perth, City of Stratford and Town of St. Mary's	City of Stratford
31.	County of Peterborough and City of Peterborough	City of Peterborough
32.	County of Prescott and Russell	County of Prescott and Russell
33.	County of Renfrew, including the City of Pembroke	County of Renfrew
34.	County of Simcoe, City of Barrie and City of Orillia	County of Simcoe
35.	City of Cornwall and County of Stormont, Dundas and Glengarry	City of Cornwall
36.	County of Victoria and County of Haliburton	County of Victoria
37.	County of Wellington and City of Guelph	County of Wellington
38.	The district described in Ontario Regulation 278/98 for the District of Algoma Social Services Administration Board	District of Algoma Social Services Administration Board
39.	The district described in Ontario Regulation 278/98 for the District of Sault Ste. Marie Social Services Administration Board	District of Sault Ste. Marie Social Services Administration Board
40.	The district described in Ontario Regulation 278/98 for the District of Cochrane Social Services Administration Board	District of Cochrane Social Services Administration Board

NUMÉRO	COLONNE 1	COLONNE 2
	Zones géographiques	Agents de prestation des services
25.	Comtés unis de Leeds et Grenville, Cité de Brockville, Ville de Gananoque et Ville de Prescott	Comtés unis de Leeds et Grenville
26.	Comté de Lennox et Addington et Comté de Prince Edward	Comté de Lennox et Addington
27.	Cité de London et Comté de Middlesex	Cité de London
28.	Comté de Northumberland	Comté de Northumberland
29.	Comté d'Oxford	Comté d'Oxford
30.	Comté de Perth, Cité de Stratford et Ville de St. Mary's	Cité de Stratford
31.	Comté de Peterborough et Cité de Peterborough	Cité de Peterborough
32.	Comté de Prescott et Russell	Comté de Prescott et Russell
33.	Comté de Renfrew, y compris la Cité de Pembroke	Comté de Renfrew
34.	Comté de Simcoe, Cité de Barrie et Cité d'Orillia	Comté de Simcoe
35.	Cité de Cornwall et Comté de Stormont, Dundas et Glengarry	Cité de Cornwall
36.	Comté de Victoria et Comté de Haliburton	Comté de Victoria
37.	Comté de Wellington et Cité de Guelph	Comté de Wellington
38.	District que le Règlement de l'Ontario 278/98 désigne comme district que sert le conseil d'administration des services sociaux du district d'Algoma	Conseil d'administration des services sociaux du district d'Algoma
39.	District que le Règlement de l'Ontario 278/98 désigne comme district que sert le conseil d'administration des services sociaux du district de Sault Ste. Marie	Conseil d'administration des services sociaux du district de Sault Ste. Marie
40.	District que le Règlement de l'Ontario 278/98 désigne comme district que sert le conseil d'administration des services sociaux du district de Cochrane	Conseil d'administration des services sociaux du district de Cochrane

ITEM	COLUMN 1	COLUMN 2
	Geographic Areas	Delivery Agents
41.	The district described in Ontario Regulation 278/98 for the District of Kenora Social Services Administration Board	District of Kenora Social Services Administration Board
42.	The district described in Ontario Regulation 278/98 for the District of Sudbury-Manitoulin Social Services Administration Board	District of Sudbury-Manitoulin Social Services Administration Board
43.	The district described in Ontario Regulation 278/98 for the District of Nipissing Social Services Administration Board	District of Nipissing Social Services Administration Board
44.	The district described in Ontario Regulation 278/98 for the District of Parry Sound Social Services Administration Board	District of Parry Sound Social Services Administration Board
45.	The district described in Ontario Regulation 278/98 for the District of Rainy River Social Services Administration Board	District of Rainy River Social Services Administration Board
46.	The district described in Ontario Regulation 278/98 for the District of Thunder Bay Social Services Administration Board	District of Thunder Bay Social Services Administration Board
47.	The district described in Ontario Regulation 278/98 for the District of Timiskaming Social Services Administration Board	District of Timiskaming Social Services Administration Board

NUMÉRO	COLONNE 1	COLONNE 2
	Zones géographiques	Agents de prestation des services
41.	District que le Règlement de l'Ontario 278/98 désigne comme district que sert le conseil d'administration des services sociaux du district de Kenora	Conseil d'administration des services sociaux du district de Kenora
42.	District que le Règlement de l'Ontario 278/98 désigne comme district que sert le conseil d'administration des services sociaux du district de Sudbury-Manitoulin	Conseil d'administration des services sociaux du district de Sudbury-Manitoulin
43.	District que le Règlement de l'Ontario 278/98 désigne comme district que sert le conseil d'administration des services sociaux du district de Nipissing	Conseil d'administration des services sociaux du district de Nipissing
44.	District que le Règlement de l'Ontario 278/98 désigne comme district que sert le conseil d'administration des services sociaux du district de Parry Sound	Conseil d'administration des services sociaux du district de Parry Sound
45.	District que le Règlement de l'Ontario 278/98 désigne comme district que sert le conseil d'administration des services sociaux du district de Rainy River	Conseil d'administration des services sociaux du district de Rainy River
46.	District que le Règlement de l'Ontario 278/98 désigne comme district que sert le conseil d'administration des services sociaux du district de Thunder Bay	Conseil d'administration des services sociaux du district de Thunder Bay
47.	District que le Règlement de l'Ontario 278/98 désigne comme district que sert le conseil d'administration des services sociaux du district de Timiskaming	Conseil d'administration des services sociaux du district de Timiskaming

2. This Regulation comes into force on April 1, 1999.

2. Le présent règlement entre en vigueur le 1^{er} avril 1999.

JANET ECKER
Minister of Community and Social Services

JANET ECKER
Ministre des Services sociaux et communautaires

Dated on March 4, 1999.

Fait le 4 mars 1999.

ONTARIO REGULATION 114/99
made under the
COURTS OF JUSTICE ACT

Made: March 3, 1999
Approved: March 10, 1999
Filed: March 11, 1999

FAMILY LAW RULES

This Regulation will appear in the April 3, 1999 issue of *The Ontario Gazette*.

13/99

ONTARIO REGULATION 115/99
made under the
ELECTRICITY ACT, 1998

Made: March 10, 1999
Filed: March 12, 1999

FINANCIAL CORPORATION

NAME CHANGES

1. On the day that subsection 54 (1) of the Act comes into force, the name of the Ontario Hydro Financial Corporation is changed to Ontario Electricity Financial Corporation in English and Société financière de l'industrie de l'électricité de l'Ontario in French.

2. (1) On the day that subsection 54 (1) of the Act comes into force, the name of the Ontario Hydro Financial Corporation Pension Plan is changed to Ontario Electricity Financial Corporation Pension Plan in English and Régime de retraite de la Société financière de l'industrie de l'électricité de l'Ontario in French.

(2) On the day that subsection 54 (1) of the Act comes into force, the name of the Ontario Hydro Financial Corporation Pension Fund is changed to Ontario Electricity Financial Corporation Pension Fund in English and Caisse de retraite de la Société financière de l'industrie de l'électricité de l'Ontario in French.

APPLICATION OF CERTAIN STATUTORY PROVISIONS

3. (1) The following provisions of the *Business Corporations Act* apply, with necessary modifications, to the Financial Corporation:

1. Section 16 (capacity to act outside Ontario).
2. Subsections 126 (3) and (4) (quorum requirements).
3. Subsection 129 (1) (resolutions in writing).
4. Subsections 136 (1) and (3) to (6) (indemnification of directors, etc.).

(2) This section comes into force on the same day as subsection 54 (1) of the Act.

13/99

RÈGLEMENT DE L'ONTARIO 114/99
pris en application de la
LOI SUR LES TRIBUNAUX JUDICIAIRES

pris le 3 mars 1999
approuvé le 10 mars 1999
déposé le 11 mars 1999

**RÈGLES EN MATIÈRE DE DROIT
DE LA FAMILLE**

Le règlement susmentionné figurera dans l'édition de la *Gazette de l'Ontario* du 3 avril 1999.

ONTARIO REGULATION 116/99
made under the
LOCAL ROADS BOARDS ACT

Made: March 10, 1999
Filed: March 12, 1999

Amending Reg. 735 of R.R.O. 1990
(Northwestern Region)

Note: Since the end of 1997, Regulation 735 has been amended by Ontario Regulations 334/98 and 598/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. **Schedule 65 of Regulation 735 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:**

Schedule 65

PELLATT No.2 LOCAL ROADS AREA

All that portion of the Township of Pellett in the Territorial District of Kenora shown outlined on Ministry of Transportation Plan N-505-12, filed with the Record Services Unit of the Ministry of Transportation at Thunder Bay on February 18, 1999.

TONY P. CLEMENT
Minister of Transportation

Dated on March 10, 1999.

13/99

ONTARIO REGULATION 117/99
made under the
LOCAL ROADS BOARDS ACT

Made: March 10, 1999
Filed: March 12, 1999

Amending Reg. 735 of R.R.O. 1990
(Northwestern Region)

Note: Since the end of 1997, Regulation 735 has been amended by Ontario Regulations 334/98, 598/98 and 116/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. **Schedules 24 and 49 of Regulation 735 of the Revised Regulations of Ontario, 1990 are revoked.**

TONY P. CLEMENT
Minister of Transportation

Dated on March 10, 1999.

13/99

ONTARIO REGULATION 118/99
made under the
HIGHWAY TRAFFIC ACT

Made: March 10, 1999
Filed: March 12, 1999

Amending Reg. 605 of R.R. O. 1990
(Parking of Vehicles in Territory Without Municipal Organization)

Note: Regulation 605 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Paragraph 1 of the Schedule to Regulation 605 of Revised Regulations of Ontario, 1990, is revoked.

TONY P. CLEMENT
Minister of Transportation

Dated on March 10, 1999.

13/99

ONTARIO REGULATION 119/99
made under the
HIGHWAY TRAFFIC ACT

Made: March 10, 1999
Filed: March 12, 1999

Amending Reg. 623 of R.R.O. 1990
(Stop Signs at Intersections)

Note: Since the end of 1997, Regulation 623 has been amended by Ontario Regulations 29/98, 418/98 and 596/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Schedules 11 and 29 to Regulation 623 of the Revised Regulations of Ontario, 1990 are revoked.

TONY P. CLEMENT
Minister of Transportation

Dated on March 10, 1999.

13/99

ONTARIO REGULATION 120/99
made under the
HIGHWAY TRAFFIC ACT

Made: March 10, 1999
Filed: March 12, 1999

Amending Reg. 624 of R.R.O. 1990
(Stop Signs in Territory Without Municipal Organization)

Note: Regulation 624 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Schedules 78, 79, 80, 134 and 135 to Regulation 624 of the Revised Regulations of Ontario, 1990 are revoked.

TONY P. CLEMENT
Minister of Transportation

Dated on March 10, 1999.

13/99

Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1999—04—03

ONTARIO REGULATION 114/99 made under the COURTS OF JUSTICE ACT

Made: March 3, 1999
Approved: March 10, 1999
Filed: March 11, 1999

FAMILY LAW RULES

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RÈGLEMENT DE L'ONTARIO 114/99 pris en application de la LOI SUR LES TRIBUNAUX JUDICIAIRES

pris le 3 mars 1999
approuvé le 10 mars 1999
déposé le 11 mars 1999

RÈGLES EN MATIÈRE DE DROIT DE LA FAMILLE

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RULES RULE 1: GENERAL

SHORT TITLE

1. (1) These rules may be cited as the *Family Law Rules*.

CASES AND COURTS TO WHICH RULES APPLY

(2) These rules apply to all family law cases in the Family Court of the Superior Court of Justice and in the Ontario Court of Justice, whether started before, on or after the day when these rules take effect,

- (a) under,
 - (i) the *Change of Name Act*,
 - (ii) Parts III, VI and VII of the *Child and Family Services Act*,
 - (iii) the *Children's Law Reform Act*, except sections 59 and 60,
 - (iv) the *Divorce Act* (Canada),
 - (v) the *Family Law Act*, except Part V,
 - (vi) the *Family Responsibility and Support Arrears Enforcement Act, 1996*,
 - (vii) sections 6 and 9 of the *Marriage Act*, and
 - (viii) the *Reciprocal Enforcement of Support Orders Act*,
- (b) for the interpretation, enforcement or variation of a marriage contract, cohabitation agreement, separation agreement or paternity agreement;
- (c) for a constructive or resulting trust or a monetary award as compensation for unjust enrichment between persons who have cohabited; and
- (d) for annulment of a marriage or a declaration of validity or invalidity of a marriage.

CASE MANAGEMENT IN FAMILY COURT OF SUPERIOR COURT OF JUSTICE

(3) Despite subrule (2), rule 39 (case management in the Family Court of the Superior Court of Justice) applies only to cases in the Family Court of the Superior Court of Justice, which has jurisdiction in the following municipalities:

Regional Municipality of Durham
 County of Frontenac
 County of Haliburton
 Regional Municipality of Hamilton-Wentworth
 County of Lanark
 United Counties of Leeds and Grenville
 County of Lennox and Addington
 County of Middlesex
 Territorial District of Muskoka
 The part of The Regional Municipality of Niagara that was the County of Lincoln as it existed on December 31, 1969
 County of Northumberland

RÈGLE 1 : DISPOSITIONS GÉNÉRALES

TITRE ABRÉGÉ

1. (1) Le titre abrégé des présentes règles est *Règles en matière de droit de la famille*.

CAUSES ET TRIBUNAUX AUXQUELS S'APPLIQUENT LES RÈGLES

(2) Les présentes règles s'appliquent à toutes les causes en droit de la famille portées devant la Cour de la famille de la Cour supérieure de justice et devant la Cour de justice de l'Ontario, qu'elles soient introduites avant ou après le jour de l'entrée en vigueur des présentes règles ou ce jour-là :

- a) en vertu de ce qui suit :
 - (i) la *Loi sur le changement de nom*,
 - (ii) les parties III, VI et VII de la *Loi sur les services à l'enfance et à la famille*,
 - (iii) la *Loi portant réforme du droit de l'enfance*, à l'exception des articles 59 et 60,
 - (iv) la *Loi sur le divorce* (Canada),
 - (v) la *Loi sur le droit de la famille*, à l'exception de la partie V,
 - (vi) la *Loi de 1996 sur les obligations familiales et l'exécution des arriérés d'aliments*,
 - (vii) les articles 6 et 9 de la *Loi sur le mariage*,
 - (viii) la *Loi sur l'exécution réciproque d'ordonnances alimentaires*;
- b) en vue de l'interprétation, de l'exécution ou de la modification de contrats de mariage ou d'accords de cohabitation, de séparation ou de paternité;
- c) en vue de la constitution d'une fiducie judiciaire ou d'une fiducie par déduction, ou encore d'une indemnité pour enrichissement sans cause entre des personnes qui ont cohabité;
- d) en vue de faire annuler un mariage ou de faire déclarer le mariage valide ou nul.

GESTION DES CAUSES PORTÉES DEVANT LA COUR DE LA FAMILLE DE LA COUR SUPÉRIEURE DE JUSTICE

(3) Malgré le paragraphe (2), la règle 39 (gestion des causes portées devant la Cour de la famille de la Cour supérieure de justice) ne s'applique qu'aux causes portées devant la Cour de la famille de la Cour supérieure de justice, qui a compétence dans les municipalités suivantes :

La municipalité régionale de Durham
 Le comté de Frontenac
 Le comté de Haliburton
 La municipalité régionale de Hamilton-Wentworth
 Le comté de Lanark
 Les comtés unis de Leeds et Grenville
 Le comté de Lennox et Addington
 Le comté de Middlesex
 Le district territorial de Muskoka
 La partie de la municipalité régionale de Niagara qui constituait le comté de Lincoln tel qu'il existait le 31 décembre 1969
 Le comté de Northumberland

Regional Municipality of Ottawa-Carleton

County of Peterborough

United Counties of Prescott and Russell

County of Simcoe

United Counties of Stormont, Dundas and Glengarry

County of Victoria

Regional Municipality of York

CASE MANAGEMENT IN ONTARIO COURT OF JUSTICE

(4) Despite subrule (2), rule 40 (case management in the Ontario Court of Justice) applies only to cases in the Ontario Court of Justice.

FAMILY LAW CASE COMBINED WITH OTHER MATTER

(5) If a case in the court combines a family law case to which these rules apply with another matter to which these rules would not otherwise apply, the parties may agree or the court on motion may order that these rules apply to the combined case or part of it.

CONDITIONS AND DIRECTIONS

(6) When making an order, the court may impose conditions and give directions as appropriate.

MATTERS NOT COVERED IN RULES

(7) If these rules do not cover a matter adequately, the court may give directions, and the practice shall be decided by analogy to these rules, by reference to the *Courts of Justice Act* and the Act governing the case and, if the court considers it appropriate, by reference to the Rules of Civil Procedure.

FAILURE TO FOLLOW RULES OR OBEY ORDER

(8) The court may deal with a failure to follow these rules, or a failure to obey an order in the case or a related case, by making any order that it considers necessary for a just determination of the matter, on any conditions that the court considers appropriate, including,

- (a) an order for costs;
- (b) an order dismissing a claim made by a party who has wilfully failed to follow the rules or obey the order.

USE OF FORMS

(9) The forms authorized by these rules and set out in the Appendix of Forms shall be used where applicable and may be adjusted as needed to fit the situation.

FORMAT OF WRITTEN DOCUMENTS

- (10) Every written document in a case,
 - (a) shall be legibly typed or printed;
 - (b) shall be on white paper, or on white or nearly white paper with recycled paper content; and
 - (c) may appear on one or both sides of the page.

PRACTICE DIRECTIONS, ETC.

(11) A practice direction, notice, memorandum or guide for the conduct of cases in any area shall be,

La municipalité régionale d'Ottawa-Carleton

Le comté de Peterborough

Les comtés unis de Prescott et Russell

Le comté de Simcoe

Les comtés unis de Stormont, Dundas et Glengarry

Le comté de Victoria

La municipalité régionale de York

GESTION DES CAUSES PORTÉES DEVANT LA COUR DE JUSTICE DE L'ONTARIO

(4) Malgré le paragraphe (2), la règle 40 (gestion des causes portées devant la Cour de justice de l'Ontario) ne s'applique qu'aux causes portées devant la Cour de justice de l'Ontario.

CAUSE EN DROIT DE LA FAMILLE RÉUNIE À UNE AUTRE AFFAIRE

(5) Si une cause portée devant le tribunal réunit une cause en droit de la famille à laquelle s'appliquent les présentes règles à une autre affaire à laquelle celles-ci ne s'appliqueraient pas par ailleurs, les parties peuvent convenir ou le tribunal, sur motion, peut ordonner qu'elles s'appliquent à la cause issue de la réunion ou à une partie de celle-ci.

CONDITIONS ET DIRECTIVES

(6) Lorsqu'il rend une ordonnance, le tribunal peut imposer les conditions et donner les directives appropriées.

SILENCE DES RÈGLES

(7) Si les présentes règles ne traitent pas d'une question adéquate, le tribunal peut donner des directives, et la pratique est décidée par analogie avec les présentes règles, par recours à la *Loi sur les tribunaux judiciaires* et à la loi régissant la cause et, si le tribunal le juge approprié, par recours aux Règles de procédure civile.

INOBSERVATION DES RÈGLES OU D'UNE ORDONNANCE

(8) En cas d'inobservation des présentes règles ou d'une ordonnance rendue dans la cause ou dans une cause connexe, le tribunal peut rendre toute ordonnance qu'il juge nécessaire afin d'assurer une résolution équitable de la question, aux conditions qu'il juge appropriées, y compris :

- a) une ordonnance d'adjudication des dépens;
- b) une ordonnance rejetant une demande présentée par une partie qui, à dessein, n'a pas observé les présentes règles ou l'ordonnance.

EMPLOI DES FORMULES

(9) Les formules autorisées par les présentes règles et figurant en appendice sont utilisées s'il y a lieu et peuvent être adaptées au besoin en fonction de la situation.

PRÉSENTATION DES DOCUMENTS ÉCRITS

- (10) Dans une cause, chaque document écrit :
 - a) est dactylographié ou imprimé lisiblement;
 - b) figure sur du papier blanc, ou sur du papier blanc ou presque blanc qui contient du papier recyclé;
 - c) peut figurer au recto seulement ou au recto et au verso de la page.

DIRECTIVES DE PRATIQUE

(11) Les directives, avis, notes ou guides de pratique régissant la conduite des causes dans un secteur sont :

- (a) approved in advance by the Chief Justice or Chief Judge of the court;
- (b) filed with the secretary of the Family Rules Committee; and
- (c) published in the *Ontario Reports*.

OLD PRACTICE DIRECTIONS, ETC.

(12) Practice directions, notices, memoranda and guides that were issued before these rules take effect no longer apply.

TRANSITIONAL PROVISION

(13) If a case was started before these rules take effect, the court may, on motion, order that the case or a step in the case be carried on under the rules that applied before these rules take effect.

TRANSITION—OLD FORMS

(14) A form in use under the rules that applied before these rules take effect may continue to be used, if it contains substantially the same information as the form required by these rules, until December 31, 1999.

RULE 2: INTERPRETATION

DEFINITIONS

2. (1) In these rules,

“address” means a person’s street or municipal address, mailing address, telephone number, fax number and electronic mail address; (“adresse”)

“appellant” means a person who starts an appeal; (“appelant”)

“applicant” means a person who starts an application; (“requérant”)

“application” means, as the context requires, the document that starts a case or the procedure by which new cases are brought to the court for a final order or provisional order; (“requête”)

“bond” includes a recognizance, and expressions that refer to the posting of a bond include the act of entering into a recognizance; (“cautionnement”)

“case” means an application or any other method allowed in law for bringing a matter to the court for a final order or provisional order, and includes all motions, enforcements and appeals; (“cause”)

“change”, when used to refer to an order or agreement, means to vary, suspend or discharge, or a variation, suspension or discharge (depending on whether the word is used as a verb or as a noun); (“modifier”, “modification”)

“child” means a child as defined in the Act governing the case or, if not defined in that Act, a person under the age of 18 years, and in a case under the *Divorce Act* (Canada) includes a “child of the marriage” within the meaning of that Act; (“enfant”)

“child protection case” means a case under Part III of the *Child and Family Services Act*; (“cause portant sur la protection d’un enfant”)

“clerk” means a person who has the authority of a clerk or a registrar of the court; (“greffier”)

“contempt motion” means a motion for a contempt order; (“motion pour outrage”)

“contempt order” means an order finding a person in contempt of court; (“ordonnance pour outrage”)

- a) approuvés préalablement par le juge en chef du tribunal;
- b) déposés auprès du secrétaire du Comité des règles en matière de droit de la famille;
- c) publiés dans le Recueil de jurisprudence de l'Ontario.

DIRECTIVES DE PRATIQUE ANTÉRIEURES

(12) Les directives, avis, notes ou guides de pratique qui ont été diffusés avant l'entrée en vigueur des présentes règles ne s'appliquent plus.

DISPOSITION TRANSITOIRE

(13) Le tribunal peut, sur motion, ordonner que la cause qui a été introduite avant l'entrée en vigueur des présentes règles ou une étape de celle-ci soit conduite aux termes des règles qui s'appliquaient alors.

DISPOSITION TRANSITOIRE — ANCIENNES FORMULES

(14) Toute formule en usage aux termes des règles qui s'appliquaient avant l'entrée en vigueur des présentes règles et qui renferme sensiblement les mêmes renseignements que la formule exigée par celles-ci peut continuer d'être utilisée jusqu'au 31 décembre 1999.

RÈGLE 2 : INTERPRÉTATION

DÉFINITIONS

2. (1) Les définitions qui suivent s'appliquent aux présentes règles.

«adresse» S'entend de l'adresse du domicile, de l'adresse postale, du numéro de téléphone, du numéro de télécopieur et de l'adresse de courrier électronique. («address»)

«appelant» Personne qui interjette appel. («appellant»)

«audience sur le défaut» Audience visée à l'article 41 de la *Loi de 1996 sur les obligations familiales et l'exécution des arriérés d'aliments* pour laquelle le payeur est tenu de se rendre au tribunal pour expliquer pourquoi les versements exigés par une ordonnance alimentaire n'ont pas été effectués. («default hearing»)

«avocat» Avocat autorisé à pratiquer en Ontario. («lawyer»)

«bénéficiaire» Personne qui a le droit de recevoir de l'argent ou des dépens aux termes d'une ordonnance de paiement ou d'un accord, notamment :

- a) le tuteur ou la personne qui a la garde d'un enfant et qui a le droit de recevoir de l'argent au profit de celui-ci aux termes d'une ordonnance;
- b) dans le cas d'une ordonnance alimentaire rendue en vertu de la *Loi sur le droit de la famille*, un organisme mentionné au paragraphe 33 (3) de cette loi;
- c) dans le cas d'une ordonnance alimentaire rendue en vertu de la *Loi sur le divorce* (Canada), une administration mentionnée au paragraphe 20.1 (1) de cette loi;
- d) une société d'aide à l'enfance qui a le droit de recevoir de l'argent aux termes d'une ordonnance rendue en vertu de l'article 60 ou du paragraphe 154 (2) de la *Loi sur les services à l'enfance et à la famille* ou de la disposition correspondante d'une loi qu'elle remplace;
- e) un évaluateur, un médiateur ou un autre expert qui a le droit de se faire payer ses honoraires et frais par la partie nommée dans l'ordonnance;
- f) le fiduciaire de la succession d'une personne qui avait le droit de recevoir de l'argent aux termes d'une ordonnance au moment de son décès. («recipient»)

“continuing record” means the record containing all the written documents in a case that are filed with the court, as continuously updated as required by these rules, but does not include a trial record; (“dossier continu”)

“corporation” *French version only.*

“court” means the court in which a case is being heard; (“tribunal”)

“default hearing” means a hearing under section 41 of the *Family Responsibility and Support Arrears Enforcement Act, 1996* in which a payor is required to come to court to explain why payment has not been made as required by a support order; (“audience sur le défaut”)

“Director of the Family Responsibility Office” means the Director of the Family Responsibility Office under the *Family Responsibility and Support Arrears Enforcement Act, 1996*, and “Director” has the same meaning, unless the context requires otherwise; (“directeur du Bureau des obligations familiales”, “directeur”)

“document” means information, sound or images recorded by any method; (“document”)

“enforcement” means the use of one or more remedies mentioned in rule 26 (enforcement of orders) to enforce an order; (“exécution”)

“file” means to file with proof of service in the court office in the municipality,

(a) where the case or enforcement is started, or

(b) to which the case or enforcement is transferred; (“déposer”)

“final order” means an order, other than a temporary order, that decides a claim in an application, including,

(a) an order made on motion that changes a final order,

(b) a judgment, and

(c) an order that decides a party’s rights, in an issue between the parties or between a party and a non-party; (“ordonnance définitive”)

“government agency” means the Crown, a Crown agency, a municipal government or agency, a children’s aid society or any other public body; (“organisme gouvernemental”)

“income source” has the same meaning as in the *Family Responsibility and Support Arrears Enforcement Act, 1996*; (“source de revenu”)

“lawyer” means a lawyer licensed to practise in Ontario; (“avocat”)

“legal aid rate” means the rate payable by the Ontario Legal Aid Plan on an account submitted by a lawyer for copying in the lawyer’s office; (“tarif de l’aide juridique”)

“mail”, when used as a noun, means ordinary or regular mail, and when used as a verb means to send by ordinary or regular mail; (“poste”)

“municipality” means a county, district, district municipality, regional municipality, the City of Toronto or a municipal corporation formed from the amalgamation of all the municipalities of a county, district, district municipality or regional municipality, and includes,

(a) an Indian reserve within the territorial area of a municipality, and

(b) the part of The Regional Municipality of Niagara that was the County of Lincoln as it existed on December 31, 1969; (“municipalité”)

“on motion” means on motion of a party or a person having an interest in the case; (“sur motion”)

“payment order” means a temporary or final order, but not a provisional order, requiring a person to pay money to another person, including,

«cause» S’entend d’une requête ou de toute autre méthode permise en droit pour porter une affaire devant le tribunal afin qu’il rende une ordonnance définitive ou une ordonnance conditionnelle. S’entend en outre d’une motion, d’une procédure d’exécution et d’un appel. («case»)

«cause portant sur la protection d’un enfant» Cause visée à la partie III de la *Loi sur les services à l’enfance et à la famille*. («child protection case»)

«cautionnement» S’entend notamment d’un engagement, les mots qui expriment l’idée de fournir un cautionnement s’entendant en outre du fait de signer un engagement. («bond»)

«demande portant sur des biens» S’entend, selon le cas :

a) d’une demande visée à la partie I de la *Loi sur le droit de la famille*;

b) d’une demande de constitution d’une fiducie judiciaire ou d’une fiducie par déduction;

c) d’une demande d’indemnité pour enrichissement sans cause. («property claim»)

«déposer» Déposer, avec la preuve de la signification, au greffe de la municipalité, selon le cas :

a) dans laquelle la cause est introduite ou la procédure d’exécution commencée;

b) à laquelle est transférée la cause ou la procédure d’exécution. («file»)

«directeur du Bureau des obligations familiales» Le directeur du Bureau des obligations familiales nommé aux termes de la *Loi de 1996 sur les obligations familiales et l’exécution des arriérés d’aliments*. Le terme «directeur» a le même sens, sauf si le contexte exige une interprétation différente. («Director of the Family Responsibility Office», «Director»)

«document» S’entend des renseignements, des sons ou des images enregistrés par quelque méthode que ce soit. («document»)

«dossier continu» Dossier renfermant tous les documents écrits se rapportant à une cause qui sont déposés auprès du tribunal, tel qu’il est continuellement mis à jour comme l’exigent les présentes règles, à l’exception toutefois d’un dossier de procès. («continuing record»)

«enfant» S’entend d’un enfant au sens de la loi régissant la cause ou, si le terme n’y est pas défini, d’une personne de moins de 18 ans et, dans une cause introduite en vertu de la *Loi sur le divorce* (Canada), d’un enfant à charge au sens de cette loi. («child»)

«exécution» Le recours à une ou à plusieurs mesures de redressement mentionnées à la règle 26 (exécution des ordonnances) aux fins de l’exécution d’une ordonnance. («enforcement»)

«greffier» Personne dotée du pouvoir d’un greffier du tribunal. («clerk»)

«intimé» Personne contre laquelle une demande est présentée dans une requête, une défense ou un appel. («respondent»)

«modifier» Relativement à une ordonnance ou à un accord, s’entend en outre du fait de suspendre ou d’annuler. Le substantif «modification» a un sens correspondant. («change»)

«motion pour outrage» Motion visant à obtenir une ordonnance pour outrage. («contempt motion»)

«municipalité» S’entend d’un comté, d’un district, d’une municipalité de district, d’une municipalité régionale, de la cité de Toronto ou d’une municipalité issue de la fusion de toutes les municipalités d’un comté, d’un district, d’une municipalité de district ou d’une municipalité régionale. S’entend en outre :

a) d’une réserve indienne comprise dans le territoire d’une municipalité;

- (a) an order to pay an amount under Part I or II of the *Family Law Act* or the corresponding provisions of a predecessor Act,
- (b) a support order,
- (c) a support deduction order,
- (d) an order under section 60 or subsection 154 (2) of the *Child and Family Services Act*, or under the corresponding provision of a predecessor Act,
- (e) a payment order made under rules 26 to 32 (enforcement measures) or under section 41 of the *Family Responsibility and Support Arrears Enforcement Act, 1996*,
- (f) a fine for contempt of court,
- (g) an order of forfeiture of a bond or recognizance,
- (h) an order requiring a party to pay the fees and expenses of,
 - (i) an assessor, mediator or other expert named by the court, or
 - (ii) a person conducting a blood test to help determine a child's parentage, and
- (i) the costs and disbursements in a case; ("ordonnance de paiement")

"payor" means a person required to pay money under an order or agreement, and includes the estate trustee of a payor who died; ("payeur")

"periodic payment" means an amount payable at regular intervals and includes an amount payable in instalments; ("paiement périodique")

"property claim" means a claim,

- (a) under Part I of the *Family Law Act*,
- (b) for a constructive or resulting trust, or
- (c) for a monetary award as compensation for unjust enrichment; ("demande portant sur des biens")

"provisional order" means an order that is not effective until confirmed by a court; ("ordonnance conditionnelle")

"recipient" means a person entitled to receive money or costs under a payment order or agreement, including,

- (a) a guardian or person with custody of a child who is entitled to money for the child's benefit under an order,
- (b) in the case of a support order made under the *Family Law Act*, an agency referred to in subsection 33 (3) of that Act,
- (c) in the case of a support order made under the *Divorce Act* (Canada), an agency referred to in subsection 20.1 (1) of that Act,
- (d) a children's aid society entitled to money under an order made under section 60 or subsection 154 (2) of the *Child and Family Services Act*, or the corresponding provision in a predecessor Act,
- (e) an assessor, mediator or other expert entitled to fees and expenses from the party named in the order, and
- (f) the estate trustee of a person who was entitled to money under an order at the time of his or her death; ("bénéficiaire")

"Registrar General" means the Registrar General under the *Vital Statistics Act*; ("registraire général de l'état civil")

"respondent" means a person against whom a claim is made in an application, answer or appeal; ("intimé")

- b) de la partie de la municipalité régionale de Niagara qui constituait le comté de Lincoln tel qu'il existait le 31 décembre 1969. («municipality»)

«ordonnance alimentaire» Ordonnance visée au paragraphe 34 (1) de la *Loi sur le droit de la famille* ou ordonnance alimentaire au sens de l'article 1 de la *Loi de 1996 sur les obligations familiales et l'exécution des arriérés d'aliments*. («support order»)

«ordonnance conditionnelle» Ordonnance qui n'a aucun effet tant qu'elle n'est pas homologuée par un tribunal. («provisional order»)

«ordonnance de paiement» S'entend d'une ordonnance temporaire ou d'une ordonnance définitive, à l'exception d'une ordonnance conditionnelle, exigeant d'une personne qu'elle verse de l'argent à une autre personne, y compris de ce qui suit :

- a) une ordonnance de versement d'un montant visée à la partie I ou II de la *Loi sur le droit de la famille* ou aux dispositions correspondantes d'une loi que celle-ci remplace;
- b) une ordonnance alimentaire;
- c) une ordonnance de retenue des aliments;
- d) une ordonnance visée à l'article 60 ou au paragraphe 154 (2) de la *Loi sur les services à l'enfance et à la famille* ou à la disposition correspondante d'une loi qu'elle remplace;
- e) une ordonnance de paiement rendue aux termes des règles 26 à 32 (mesures d'exécution) ou de l'article 41 de la *Loi de 1996 sur les obligations familiales et l'exécution des arriérés d'aliments*;
- f) une amende pour outrage au tribunal;
- g) une ordonnance de confiscation d'un cautionnement ou d'un engagement;
- h) une ordonnance exigeant d'une partie qu'elle acquitte les honoraires et frais :
 - (i) soit d'un évaluateur, d'un médiateur ou d'un autre expert nommé par le tribunal,
 - (ii) soit d'une personne qui effectue une analyse de sang en vue d'aider à déterminer la filiation d'un enfant;
- i) les dépens et les débours dans une cause. («payment order»)

«ordonnance de retenue des aliments» S'entend au sens de l'article 1 de la *Loi de 1996 sur les obligations familiales et l'exécution des arriérés d'aliments*. («support deduction order»)

«ordonnance définitive» Ordonnance, autre qu'une ordonnance temporaire, qui décide une demande présentée dans le cadre d'une requête, y compris :

- a) une ordonnance rendue sur motion qui modifie une ordonnance définitive;
- b) un jugement;
- c) une ordonnance qui décide des droits d'une partie, dans une question en litige opposant soit les parties, soit une partie et une personne qui n'est pas une partie. («final order»)

«ordonnance pour outrage» Ordonnance déclarant une personne coupable d'outrage au tribunal. («contempt order»)

«ordonnance temporaire» Ordonnance, y compris une ordonnance provisoire, qui indique qu'elle ne produit ses effets que pour une durée limitée. («temporary order»)

«organisme gouvernemental» S'entend de la Couronne et d'une municipalité, de leurs organismes, d'une société d'aide à l'enfance ou d'un autre organisme public. («government agency»)

«paiement périodique» Somme payable à intervalles réguliers, y compris par versements échelonnés. («periodic payment»)

“special party” means a party who is a child or who is or appears to be mentally incapable for the purposes of the *Substitute Decisions Act, 1992* in respect of an issue in the case and who, as a result, requires legal representation, but does not include a child in a custody, access, child protection, adoption or child support case; (“partie spéciale”)

“support deduction order” means a support deduction order as defined in section 1 of the *Family Responsibility and Support Arrears Enforcement Act, 1996*; (“ordonnance de retenue des aliments”)

“support order” means an order described in subsection 34 (1) of the *Family Law Act* or a support order as defined in section 1 of the *Family Responsibility and Support Arrears Enforcement Act, 1996*; (“ordonnance alimentaire”)

“temporary order” means an order that says it is effective only for a limited time, and includes an interim order; (“ordonnance temporaire”)

“transcript” includes an electronic recording; (“transcription”)

“trial” includes a hearing; (“procès”)

“uncontested trial” means a trial at which only the party making the claim provides evidence and submissions. (“procès non contesté”)

«partie spéciale» Partie qui est un enfant ou qui est ou semble être mentalement incapable pour l'application de la *Loi de 1992 sur la prise de décisions au nom d'autrui* à l'égard d'une question en litige dans la cause et qui, par conséquent, a besoin d'être représentée par un avocat. Est toutefois exclu de la présente définition l'enfant concerné dans une cause portant sur la garde, le droit de visite, la protection, l'adoption ou les aliments. («special party»)

«payeur» Personne, y compris le fiduciaire de la succession d'un payeur décédé, qui est tenue de verser de l'argent aux termes d'une ordonnance ou d'un accord. («payor»)

«poste» Envoi par courrier ordinaire. («mail»)

«procès» S'entend en outre d'une audience. («trial»)

«procès non contesté» Procès auquel seule la partie qui présente la demande soumet des preuves et des observations. («uncontested trial»)

«registraire général de l'état civil» S'entend au sens de la *Loi sur les statistiques de l'état civil*. («Registrar General»)

«requérant» Personne qui introduit une requête. («applicant»)

«requête» S'entend, selon le contexte, du document qui introduit une cause ou de la procédure selon laquelle de nouvelles causes sont portées devant le tribunal afin qu'il rende une ordonnance définitive ou une ordonnance conditionnelle. («application»)

«société» Société avec ou sans capital-actions, à l'exclusion d'une société en nom collectif ou en commandite. («corporation»)

«source de revenu» S'entend au sens de la *Loi de 1996 sur les obligations familiales et l'exécution des arriérés d'aliments*. («income source»)

«sur motion» Sur motion d'une partie ou d'une personne ayant un intérêt dans la cause. («on motion»)

«tarif de l'aide juridique» Le tarif payable par le Régime d'aide juridique de l'Ontario à l'égard d'un compte soumis par un avocat pour la copie de documents dans son cabinet. («legal aid rate»)

«transcription» S'entend en outre d'un enregistrement électronique. («transcript»)

«tribunal» Le tribunal devant lequel est entendue une cause. («court»)

PRIMARY OBJECTIVE

(2) The primary objective of these rules is to enable the court to deal with cases justly.

DEALING WITH CASES JUSTLY

(3) Dealing with a case justly includes,

- (a) ensuring that the procedure is fair to all parties;
- (b) saving expense and time;
- (c) dealing with the case in ways that are appropriate to its importance and complexity; and
- (d) giving appropriate court resources to the case while taking account of the need to give resources to other cases.

DUTY TO PROMOTE PRIMARY OBJECTIVE

(4) The court is required to apply these rules to promote the primary objective, and parties and their lawyers are required to help the court to promote the primary objective.

OBJECTIF PREMIER

(2) L'objectif premier des présentes règles est de permettre au tribunal de traiter les causes équitablement.

TRAITEMENT ÉQUITABLE DES CAUSES

(3) Le traitement équitable d'une cause s'entend notamment de ce qui suit :

- a) veiller à ce que la procédure soit équitable envers toutes les parties;
- b) réduire les frais et les délais;
- c) traiter la cause selon des modalités qui tiennent compte de son importance et de son degré de complexité;
- d) allouer les ressources judiciaires appropriées à la cause tout en tenant compte de la nécessité d'allouer des ressources aux autres causes.

OBLIGATION DE PROMOUVOIR L'OBJECTIF PREMIER

(4) Le tribunal est tenu d'appliquer les présentes règles en vue de promouvoir l'objectif premier, et les parties et leurs avocats sont tenus de l'aider à promouvoir cet objectif.

DUTY TO MANAGE CASES

(5) The court shall promote the primary objective by active management of cases, which includes,

- (a) at an early stage, identifying the issues, and separating and disposing of those that do not need full investigation and trial;
- (b) encouraging and facilitating use of alternatives to the court process;
- (c) helping the parties to settle all or part of the case;
- (d) setting timetables or otherwise controlling the progress of the case;
- (e) considering whether the likely benefits of taking a step justify the cost;
- (f) dealing with as many aspects of the case as possible on the same occasion; and
- (g) if appropriate, dealing with the case without parties and their lawyers needing to come to court, on the basis of written documents or by holding a telephone or video conference.

RULE 3: TIME**COUNTING DAYS**

3. (1) In these rules or an order, the number of days between two events is counted as follows:

1. The first day is the day after the first event.
2. The last day is the day of the second event.

COUNTING DAYS—SHORT PERIODS

(2) If a rule or order provides a period of less than seven days for something to be done, Saturdays, Sundays and other days when all court offices are closed do not count as part of the period.

DAY WHEN COURT OFFICES CLOSED

(3) If the last day of a period of time under these rules or an order falls on a day when court offices are closed, the period ends on the next day they are open.

COUNTING DAYS—EXAMPLES

(4) The following are examples of how time is counted under these rules:

1. Notice of a motion must be served not later than four days before the motion date (see subrule 14 (1)). Saturday and Sunday are not counted, because the notice period is less than seven days (see subrule (2)). Service on the day set out in the left column below is in time for the motion to be heard on the day set out in the right column below.

Service on	Motion may be heard on the following
Monday	Friday
Tuesday	Monday
Wednesday	Tuesday

OBLIGATION DE GÉRER LES CAUSES

(5) Le tribunal veille à promouvoir l'objectif premier en gérant activement les causes, ce qui implique ce qui suit :

- a) à un stade précoce, identifier les questions en litige et isoler et trancher celles qui ne nécessitent pas d'enquête approfondie ni de procès;
- b) encourager et faciliter le recours à des modes de règlement extra-judiciaires;
- c) aider les parties à transiger sur tout ou partie de la cause;
- d) fixer un calendrier ou surveiller d'autre façon le déroulement de la cause;
- e) examiner si les avantages probables de l'adoption d'une mesure en justifient le coût;
- f) traiter en une même occasion tous les aspects de la cause qui s'y prêtent;
- g) si cela est approprié, traiter la cause sans que les parties et leurs avocats aient à se rendre au tribunal, en se fondant sur des documents écrits ou en tenant une conférence téléphonique ou une vidéoconférence.

RÈGLE 3 : DÉLAIS**CALCUL DES DÉLAIS**

3. (1) Dans les présentes règles ou dans une ordonnance, le nombre de jours entre deux événements est calculé comme suit :

1. Le premier jour correspond au jour qui suit le premier événement.
2. Le dernier jour correspond au jour où a lieu le deuxième événement.

CALCUL DES DÉLAIS — COURTS DÉLAIS

(2) Si une règle ou une ordonnance prévoit un délai inférieur à sept jours pour l'accomplissement d'un acte, le samedi, le dimanche et tout autre jour où tous les greffes sont fermés ne sont pas pris en compte dans le calcul du délai.

JOUR DE FERMETURE DES GREFFES

(3) Si le dernier jour d'un délai prévu par les présentes règles ou par une ordonnance tombe un jour où les greffes sont fermés, le délai prend fin le jour suivant où ils sont ouverts.

CALCUL DES DÉLAIS — EXEMPLES

(4) Voici des exemples de la façon dont les délais sont calculés aux termes des présentes règles :

1. Un avis de motion doit être signifié au plus tard quatre jours avant la date d'audition de la motion (voir le paragraphe 14 (1)). Le samedi et le dimanche ne sont pas pris en compte, parce que le délai de préavis est inférieur à sept jours (voir le paragraphe (2)). La signification reçue le jour indiqué dans la colonne de gauche ci-dessous est faite à temps pour que l'audition de la motion ait lieu le jour indiqué dans la colonne de droite.

Jour de signification	L'audition de la motion peut se faire :
lundi	le vendredi suivant
mardi	le lundi suivant
mercredi	le mardi suivant

Service on	Motion may be heard on the following
Thursday	Wednesday
Friday	Thursday
Saturday	Thursday
Sunday	Thursday

2. A respondent who is served with an application in Canada has 30 days to serve an answer (see subrule 10 (1)). A respondent who is served with an application on October 1 is in time if the answer is served on or before October 31. A respondent served on November 1 is in time if the answer is served on or before December 1.
3. If the last day for doing something under these rules or an order is New Year's Day, January 1, which is a day when court offices are closed, the time expires on January 2. If January 2 is a Saturday, Sunday or other day when court offices are closed, the time expires on January 3. If January 3 is a day when court offices are closed, the time expires on January 4.

ORDER TO LENGTHEN OR SHORTEN TIME

(5) The court may make an order to lengthen or shorten any time set out in these rules or an order, except that it may lengthen a time set out in subrule 33 (1) (timetable for child protection cases) only if the best interests of the child require it.

WRITTEN CONSENT TO LENGTHEN OR SHORTEN TIME

(6) The parties may, by consent in writing, lengthen or shorten any time set out in these rules, except that they may not lengthen a time set out in subrule 33 (1) (timetable for child protection cases), rule 39 (case management in Family Court of Superior Court of Justice) or rule 40 (case management in Ontario Court of Justice).

LATE DOCUMENTS REFUSED BY COURT OFFICE

(7) The staff at a court office shall refuse to file any document that is presented for filing after the time set out in these rules, a consent under subrule (6), an order or a statute that applies to the case, unless the court orders otherwise.

RULE 4: REPRESENTATION

REPRESENTATION FOR A PARTY

4. (1) A party may,
 - (a) appear without a lawyer or other representative;
 - (b) be represented by a lawyer; or
 - (c) be represented by a person who is not a lawyer, but only if the court gives permission in advance.

PRIVATE REPRESENTATION OF SPECIAL PARTY

(2) The court may authorize a person to represent a special party if the person is,

- (a) appropriate for the task; and
- (b) willing to act as representative.

Jour de signification	L'audition de la motion peut se faire :
jeudi	le mercredi suivant
vendredi	le jeudi suivant
samedi	le jeudi suivant
dimanche	le jeudi suivant

2. L'intimé à qui est signifiée une requête au Canada dispose de 30 jours pour signifier une défense (voir le paragraphe 10 (1)). L'intimé à qui est signifiée une requête le 1^{er} octobre respecte le délai si sa défense est signifiée au plus tard le 31 octobre. L'intimé qui reçoit signification le 1^{er} novembre respecte le délai si sa défense est signifiée au plus tard le 1^{er} décembre.
3. Si le dernier jour pour accomplir un acte aux termes des présentes règles ou d'une ordonnance tombe le jour de l'An, soit le 1^{er} janvier, qui est un jour où les greffes sont fermés, le délai expire le 2 janvier. Si le 2 janvier est un samedi, un dimanche ou un autre jour où les greffes sont fermés, le délai expire le 3 janvier. Si le 3 janvier est un jour où les greffes sont fermés, le délai expire le 4 janvier.

ORDONNANCE DE PROLONGATION OU D'ABRÈGEMENT D'UN DÉLAI

(5) Le tribunal peut rendre une ordonnance prolongeant ou abrégant tout délai fixé dans les présentes règles ou dans une ordonnance. Toutefois, il ne peut prolonger un délai fixé au paragraphe 33 (1) (calendrier des causes portant sur la protection d'un enfant) que si l'intérêt véridique de l'enfant l'exige.

CONSETEMENT ÉCRIT À LA PROLONGATION OU À L'ABRÈGEMENT D'UN DÉLAI

(6) Les parties peuvent, par consentement écrit, prolonger ou abrégé tout délai fixé dans les présentes règles. Toutefois, elles ne peuvent prolonger un délai fixé au paragraphe 33 (1) (calendrier des causes portant sur la protection d'un enfant), à la règle 39 (gestion des causes portées devant la Cour de la famille de la Cour supérieure de justice) ou à la règle 40 (gestion des causes portées devant la Cour de justice de l'Ontario).

REFUS PAR LE GREFFE DES DOCUMENTS PRÉSENTÉS EN RETARD

(7) Sauf ordonnance contraire du tribunal, le personnel du greffe refuse de déposer tout document qui y est présenté à cette fin après le délai fixé dans les présentes règles, dans un consentement mentionné au paragraphe (6), dans une ordonnance ou dans une loi qui s'applique à la cause.

RÈGLE 4 : REPRÉSENTATION

REPRÉSENTATION D'UNE PARTIE

4. (1) Une partie dans une cause peut, selon le cas :
 - a) se présenter sans avocat ou autre représentant;
 - b) être représentée par un avocat;
 - c) être représentée par une personne qui n'est pas un avocat, mais seulement avec la permission préalable du tribunal.

REPRÉSENTATION D'UNE PARTIE SPÉCIALE

(2) Le tribunal peut autoriser une personne à représenter une partie spéciale si la personne :

- a) d'une part, est apte à s'acquitter de cette tâche;
- b) d'autre part, accepte d'agir en cette qualité.

PUBLIC LAW OFFICER TO REPRESENT SPECIAL PARTY

(3) If there is no appropriate person willing to act as a special party's representative, the court may authorize the Children's Lawyer or the Public Guardian and Trustee to act as representative, but only with that official's consent.

SERVICE OF AUTHORIZATION TO REPRESENT

(4) An order under subrule (2) or (3) shall be served immediately, by the person who asked for the order or by any other person named by the court,

- (a) on the representative; and
- (b) on every party in the case.

REPRESENTATION OF PARTY WHO DIES

(5) If a party dies after the start of a case, the court may make the estate trustee a party instead, on motion without notice.

AUTHORIZING REPRESENTATIVE FOR PARTY WHO DIES

(6) If the party has no estate trustee, the court may authorize an appropriate person to act as representative, with that person's consent, given in advance.

LAWYER FOR CHILD

(7) In a case that involves a child who is not a party, the court may authorize a lawyer to represent the child, and then the child has the rights of a party, unless the court orders otherwise.

CHILD'S RIGHTS SUBJECT TO STATUTE

(8) Subrule (7) is subject to section 38 (legal representation of child, protection hearing) and subsection 114 (6) (legal representation of child, secure treatment hearing) of the *Child and Family Services Act*.

CHOICE OF LAWYER

- (9) A party appearing without a lawyer may choose a lawyer by,
 - (a) serving on every other party and filing a notice of change in representation (Form 4) containing the lawyer's consent to act; or
 - (b) having a lawyer come to court on the party's behalf.

CHANGE IN REPRESENTATION

(10) A party represented by a lawyer may, by serving on every other party and filing a notice of change in representation (Form 4),

- (a) change lawyers; or
- (b) appear without a lawyer.

NOTICE OF CHANGE IN REPRESENTATION

- (11) A notice of change in representation shall,
 - (a) contain the party's address for service, if the party wants to appear without a lawyer; or
 - (b) show the name and address of the new lawyer, if the party wants to change lawyers.

LAWYER'S REMOVAL FROM THE CASE

(12) A lawyer may make a motion for an order to be removed from the case, with notice to the client and to,

REPRÉSENTATION D'UNE PARTIE SPÉCIALE PAR UN AVOCAT PUBLIC

(3) Si aucune personne apte à agir en qualité de représentant d'une partie spéciale n'accepte de le faire, le tribunal peut autoriser l'avocat des enfants ou le Tuteur et curateur public à agir en cette qualité, mais seulement avec son consentement.

SIGNIFICATION DE L'AUTORISATION DE REPRÉSENTER

(4) L'ordonnance rendue en vertu du paragraphe (2) ou (3) est signifiée immédiatement par la personne qui l'a demandée ou par toute autre personne que désigne le tribunal :

- a) d'une part, au représentant;
- b) d'autre part, à chaque partie à la cause.

REPRÉSENTATION D'UNE PARTIE QUI DÉCÈDE

(5) Si une partie décède après l'introduction d'une cause, le tribunal peut, sur motion présentée sans préavis, faire du fiduciaire de la succession une partie à la place du défunt.

AUTORISATION D'UNE PERSONNE POUR REPRÉSENTER UNE PARTIE QUI DÉCÈDE

(6) Si la partie n'a pas de fiduciaire de la succession, le tribunal peut autoriser une personne apte à cette fin à agir en qualité de représentant avec son consentement préalable.

AVOCAT DE L'ENFANT

(7) Dans une cause qui concerne un enfant qui n'est pas une partie, le tribunal peut autoriser un avocat à représenter l'enfant et celui-ci a alors les droits d'une partie, sauf ordonnance contraire du tribunal.

DROITS DE L'ENFANT ASSUJETTIS À UNE LOI

(8) Le paragraphe (7) est assujéti à l'article 38 (représentation de l'enfant par un avocat, audience portant sur la protection) et au paragraphe 114 (6) (représentation de l'enfant par un avocat, audience portant sur le traitement en milieu fermé) de la *Loi sur les services à l'enfance et à la famille*.

CHOIX D'UN AVOCAT

- (9) La partie qui se présente sans avocat peut en choisir un :
 - a) soit en signifiant à chacune des autres parties un avis de changement de représentation (formule 4) comportant le consentement à agir de l'avocat et en le déposant;
 - b) soit en faisant en sorte qu'un avocat se rende au tribunal en son nom.

CHANGEMENT DE REPRÉSENTATION

(10) Une partie représentée par un avocat peut, en signifiant à chacune des autres parties un avis de changement de représentation (formule 4) et en le déposant :

- a) soit changer d'avocat;
- b) soit se présenter sans avocat.

AVIS DE CHANGEMENT DE REPRÉSENTATION

- (11) L'avis de changement de représentation :
 - a) soit comporte la mention de l'adresse aux fins de signification de la partie, si elle désire se présenter sans avocat;
 - b) soit indique les nom et adresse du nouvel avocat, si la partie désire changer d'avocat.

RÉVOCATION D'UN AVOCAT DE LA CAUSE

(12) Un avocat peut présenter une motion visant à obtenir une ordonnance le révoquant de la cause avec préavis donné au client et :

- (a) the Children's Lawyer, if the client is a child;
- (b) the Public Guardian and Trustee, if the client is or appears to be mentally incapable in respect of an issue in the case.

NOTICE OF MOTION TO REMOVE LAWYER

(13) Notice of a motion to remove a lawyer shall also be served on the other parties to the case, but the evidence in support of the motion shall not be served on them, shall not be put into the continuing record and shall not be kept in the court file after the motion is heard.

AFFIDAVIT IN SUPPORT OF MOTION TO REMOVE LAWYER

(14) The affidavit in support of the motion shall indicate what stage the case is at, the next event in the case and any scheduled dates.

CONTENTS AND SERVICE OF ORDER REMOVING LAWYER

- (15) The order removing the lawyer from the case shall,
 - (a) set out the client's last known address for service; and
 - (b) be served on all other parties, served on the client by mail, fax or electronic mail at the client's last known address and filed immediately.

RULE 5: WHERE A CASE STARTS AND IS TO BE HEARD

WHERE CASE STARTS

5. (1) Subject to sections 21.8 and 21.11 of the *Courts of Justice Act* (territorial jurisdiction—Family Court), a case shall be started,

- (a) in the municipality where a party resides;
- (b) if the case deals with custody of or access to a child, in the municipality where the child ordinarily resides, except for cases described in,
 - (i) section 22 (jurisdiction of an Ontario court) of the *Children's Law Reform Act*, and
 - (ii) subsection 48 (2) (place for child protection hearing) and subsection 150 (1) (place for adoption proceeding) of the *Child and Family Services Act*; or
- (c) in a municipality chosen by all parties, but only with the court's permission given in advance in that municipality.

STARTING CASE—DANGER TO CHILD OR PARTY

(2) Subject to sections 21.8 and 21.11 of the *Courts of Justice Act*, if there is immediate danger that a child may be removed from Ontario or immediate danger to a child's or party's health or safety, a party may start a case in any municipality and a motion may be heard in that municipality, but the case shall be transferred to a municipality referred to in subrule (1) immediately after the motion is heard, unless the court orders otherwise.

CLERK TO REFUSE DOCUMENTS IF CASE IN WRONG PLACE

- (3) The clerk shall refuse to accept an application for filing unless,
 - (a) the case is started in the municipality where a party resides;

- a) à l'avocat des enfants, si le client est un enfant;
- b) au Tuteur et curateur public, si le client est ou semble être mentalement incapable à l'égard d'une question en litige dans la cause.

AVIS DE MOTION EN RÉVOCATION D'UN AVOCAT

(13) L'avis de motion en révocation d'un avocat est également signifié aux autres parties à la cause; toutefois, les preuves à l'appui de la motion ne leur sont pas signifiées, ne sont pas versées au dossier continu et ne sont pas conservées dans le dossier du greffe après l'audition de la motion.

AFFIDAVIT À L'APPUI DE LA MOTION EN RÉVOCATION D'UN AVOCAT

(14) L'affidavit à l'appui de la motion indique l'étape à laquelle la cause est rendue, l'étape suivante ainsi que toutes dates déjà fixées.

CONTENU ET SIGNIFICATION DE L'ORDONNANCE DE RÉVOCATION DE L'AVOCAT

- (15) L'ordonnance révoquant l'avocat de la cause :
 - a) d'une part, indique la dernière adresse connue aux fins de signification du client;
 - b) d'autre part, est signifiée aux autres parties et signifiée au client par la poste, par télécopie ou par courrier électronique à sa dernière adresse connue, et est déposée immédiatement.

RÈGLE 5 : LIEU OÙ UNE CAUSE EST INTRODUITE ET DOIT ÊTRE ENTENDUE

LIEU OÙ UNE CAUSE EST INTRODUITE

5. (1) Sous réserve des articles 21.8 et 21.11 de la *Loi sur les tribunaux judiciaires* (compétence territoriale — Cour de la famille), une cause est introduite :

- a) dans la municipalité où réside une partie;
- b) si elle porte sur la garde d'un enfant ou le droit de visite à un enfant, dans la municipalité où l'enfant réside habituellement, sauf s'il s'agit d'une cause mentionnée aux dispositions suivantes :
 - (i) l'article 22 (compétence d'un tribunal ontarien) de la *Loi portant réforme du droit de l'enfance*,
 - (ii) le paragraphe 48 (2) (lieu de l'audience portant sur la protection d'un enfant) et le paragraphe 150 (1) (lieu de l'instance portant sur une adoption) de la *Loi sur les services à l'enfance et à la famille*;
- c) dans la municipalité que choisissent les parties d'un commun accord, mais seulement si la permission du tribunal de cette municipalité y est donnée préalablement.

INTRODUCTION D'UNE CAUSE — MISE EN DANGER D'UN ENFANT OU D'UNE PARTIE

(2) Sous réserve des articles 21.8 et 21.11 de la *Loi sur les tribunaux judiciaires*, s'il existe un risque immédiat qu'un enfant puisse être retiré de l'Ontario ou un danger immédiat pour la santé ou la sécurité d'un enfant ou d'une partie, une cause peut être introduite dans toute municipalité et une motion peut y être entendue. Toutefois, sauf ordonnance contraire du tribunal, la cause est transférée à une municipalité visée au paragraphe (1) immédiatement après l'audition de la motion.

REFUS PAR LE GREFFIER DES DOCUMENTS SI LA CAUSE EST INTRODUITE AU MAUVAIS ENDROIT

- (3) Le greffier refuse le dépôt d'une requête à moins que l'une ou l'autre des conditions suivantes ne soit remplie :
 - a) la cause est introduite dans la municipalité où réside une partie;

- (b) the case deals with custody of or access to a child and is started in the municipality where the child ordinarily resides;
- (c) the case is started in a municipality chosen by all parties and the order permitting the case to be started there is filed with the application; or
- (d) the lawyer or party asking to file the application says in writing that the case is one that is permitted by clause (1) (b) or subrule (2) to be started in that municipality.

PLACE FOR STEPS OTHER THAN ENFORCEMENT

(4) All steps in the case, other than enforcement, shall take place in the municipality where the case is started or transferred.

PLACE FOR ENFORCEMENT—PAYMENT ORDERS

(5) All steps in enforcement of a payment order, including a motion to suspend a support deduction order, shall take place,

- (a) in the municipality where the recipient resides;
- (b) if the recipient does not reside in Ontario, in the municipality where the order is filed with the court for enforcement;
- (c) if the person enforcing the order consents, in the municipality where the payor resides; or
- (d) in a motion under section 26 (income source dispute) of the *Family Responsibility and Support Arrears Enforcement Act, 1996*, in the municipality where the income source resides.

PLACE FOR ENFORCEMENT—OTHER ORDERS

(6) All steps in the enforcement of an order other than a payment order shall take place,

- (a) if the order involves custody of or access to a child,
 - (i) in the municipality where the child ordinarily resides, or
 - (ii) if the child does not ordinarily reside in Ontario, in the municipality to which the child has the closest connection;
- (b) if the order involves property, in the municipality where the person enforcing the order resides or the municipality where the property is located; or
- (c) in a municipality chosen by all parties, but only with the court's permission given in advance in that municipality.

ALTERNATIVE PLACE FOR ENFORCEMENT—ORDER ENFORCED BY CONTEMPT MOTION

(7) An order, other than a payment order, that is being enforced by a contempt motion may also be enforced in the municipality in which the order was made.

TRANSFER TO ANOTHER MUNICIPALITY

(8) If it is substantially more convenient to deal with a case or any step in the case in another municipality, the court may, on motion, order that the case or step be transferred there.

- (b) la cause porte sur la garde d'un enfant ou le droit de visite à un enfant et est introduite dans la municipalité où l'enfant réside habituellement;
- (c) la cause est introduite dans une municipalité que choisissent les parties d'un commun accord et l'ordonnance permettant que la cause y soit introduite est déposée avec la requête;
- (d) l'avocat ou la partie qui demande le dépôt de la requête indique par écrit que la cause peut être introduite dans cette municipalité en vertu de l'alinéa (1) b) ou du paragraphe (2).

LIEU DU DÉROULEMENT DES ÉTAPES AUTRES QUE L'EXÉCUTION

(4) Toutes les étapes de la cause, à l'exception de l'exécution, se déroulent dans la municipalité où la cause est introduite ou transférée.

LIEU DE DÉROULEMENT DES ÉTAPES DE L'EXÉCUTION — ORDONNANCES DE PAIEMENT

(5) Toutes les étapes de l'exécution d'une ordonnance de paiement, y compris une motion en suspension d'une ordonnance de retenue des aliments, se déroulent :

- a) dans la municipalité où réside le bénéficiaire;
- b) si le bénéficiaire ne réside pas en Ontario, dans la municipalité où l'ordonnance est déposée auprès du tribunal aux fins d'exécution;
- c) si la personne qui exécute l'ordonnance y consent, dans la municipalité où réside le payeur;
- d) dans le cas d'une motion présentée en vertu de l'article 26 (conflit concernant la source de revenu) de la *Loi de 1996 sur les obligations familiales et l'exécution des arriérés d'aliments*, dans la municipalité où réside la source de revenu.

LIEU DE DÉROULEMENT DES ÉTAPES DE L'EXÉCUTION — AUTRES ORDONNANCES

(6) Toutes les étapes de l'exécution d'une ordonnance autre qu'une ordonnance de paiement se déroulent :

- a) si l'ordonnance traite de la garde d'un enfant ou du droit de visite à un enfant :
 - (i) soit dans la municipalité où l'enfant réside habituellement,
 - (ii) soit, si l'enfant ne réside pas habituellement en Ontario, dans la municipalité où il a les liens les plus étroits;
- b) si l'ordonnance traite de biens, dans la municipalité où réside la personne qui exécute l'ordonnance ou dans la municipalité où sont situés les biens;
- c) dans la municipalité que choisissent les parties d'un commun accord, mais seulement si la permission du tribunal de cette municipalité y est donnée préalablement.

AUTRE LIEU DE DÉROULEMENT DES ÉTAPES DE L'EXÉCUTION — ORDONNANCE EXÉCUTÉE PAR UNE MOTION POUR OUTRAGE

(7) L'ordonnance, autre qu'une ordonnance de paiement, qui est exécutée par une motion pour outrage peut également être exécutée dans la municipalité dans laquelle l'ordonnance a été rendue.

TRANSFERT À UNE AUTRE MUNICIPALITÉ

(8) S'il est nettement plus commode de traiter une cause ou une étape de celle-ci dans une autre municipalité, le tribunal peut, sur motion, ordonner que la cause ou l'étape y soit transférée.

CHANGE OF PLACE FOR CHILD PROTECTION CASE

(9) Notice of a motion under subsection 48 (3) of the *Child and Family Services Act* to transfer a case to a place within the jurisdiction of another children's aid society shall be served on the parties and the other children's aid society, with the evidence in support of the motion.

RULE 6: SERVICE OF DOCUMENTS**METHODS OF SERVICE**

6. (1) Service of a document under these rules may be carried out by regular service or by special service in accordance with this rule, unless an Act, rule or order provides otherwise.

REGULAR SERVICE

(2) Regular service of a document on a person is carried out by,

- (a) mailing a copy to the person's lawyer or, if none, to the person;
- (b) sending a copy by courier to the person's lawyer or, if none, to the person;
- (c) depositing a copy at a document exchange to which the person's lawyer belongs;
- (d) faxing a copy to the person's lawyer or, if none, to the person; or
- (e) carrying out special service.

SPECIAL SERVICE

(3) Special service of a document on a person is carried out by,

- (a) leaving a copy,
 - (i) with the person to be served,
 - (ii) if the person is or appears to be mentally incapable in respect of an issue in the case, with the person and with the guardian of the person's property or, if none, with the Public Guardian and Trustee,
 - (iii) if the person is a child, with the child and with the child's lawyer, if any,
 - (iv) if the person is a corporation, with an officer, director or agent of the corporation, or with a person at any place of business of the corporation who appears to be managing the place, or
 - (v) if the person is a children's aid society, with an officer, director or employee of the society;
- (b) leaving a copy with the person's lawyer of record in the case, or with a lawyer who accepts service in writing on a copy of the document;
- (c) mailing a copy to the person, together with an acknowledgment of service in the form of a prepaid return postcard (Form 6), all in an envelope that is addressed to the person and has the sender's return address (but service under this clause is not valid unless the return postcard, signed by the person, is filed in the continuing record); or
- (d) leaving a copy at the person's place of residence, in an envelope addressed to the person, with anyone who appears to be an adult person resident at the same address and, on the same day or on the next, mailing another copy to the person at that address.

CHANGEMENT DU LIEU D'AUDITION D'UNE CAUSE PORTANT SUR LA PROTECTION D'UN ENFANT

(9) L'avis de motion présenté en vertu du paragraphe 48 (3) de la *Loi sur les services à l'enfance et à la famille* en vue du transfert d'une cause à un lieu situé dans le territoire d'une autre société d'aide à l'enfance est signifié aux parties et à cette autre société, avec les preuves à l'appui de la motion.

RÈGLE 6 : SIGNIFICATION DE DOCUMENTS**MODES DE SIGNIFICATION**

6. (1) Sauf disposition contraire d'une loi, d'une règle ou d'une ordonnance, tout document prévu par les présentes règles peut être signifié par voie de signification ordinaire ou par voie de signification spéciale conformément à la présente règle.

SIGNIFICATION ORDINAIRE

(2) La signification ordinaire d'un document à une personne s'effectue par l'un ou l'autre des moyens suivants :

- a) en envoyant une copie du document par la poste à l'avocat de la personne ou, si elle n'en a pas, à la personne même;
- b) en envoyant une copie du document par messagerie à l'avocat de la personne ou, si elle n'en a pas, à la personne même;
- c) en déposant une copie du document à un centre de distribution de documents auquel l'avocat de la personne appartient;
- d) en transmettant une copie du document par télécopie à l'avocat de la personne ou, si elle n'en a pas, à la personne même;
- e) en recourant à la signification spéciale.

SIGNIFICATION SPÉCIALE

(3) La signification spéciale d'un document à une personne s'effectue par l'un ou l'autre des moyens suivants :

- a) en remettant une copie du document, selon le cas :
 - (i) à la personne qui doit recevoir signification,
 - (ii) si la personne est ou semble être mentalement incapable à l'égard d'une question en litige dans la cause, à elle-même ainsi qu'à son tuteur aux biens ou, si elle n'en a pas, au Tuteur et curateur public,
 - (iii) si la personne est un enfant, à lui-même et à son avocat, s'il en a un,
 - (iv) si la personne est une société, à un de ses dirigeants, administrateurs ou mandataires, ou à une personne qui se trouve dans un établissement de la société et paraît assumer la direction de cet établissement,
 - (v) si la personne est une société d'aide à l'enfance, à un de ses dirigeants, administrateurs ou employés;
- b) en remettant une copie du document à l'avocat de la personne commis au dossier dans la cause ou à un avocat qui en accepte la signification par écrit sur une copie du document;
- c) en envoyant par la poste à la personne une copie du document accompagnée d'un accusé de réception de la signification sous forme d'une carte postale de réponse affranchie (formule 6), le tout dans une enveloppe adressée à la personne et portant l'adresse de l'expéditeur (toutefois, la signification prévue au présent alinéa n'est valable que si la carte postale de réponse, signée par la personne, est déposée dans le dossier continu);
- d) en laissant au domicile de la personne une copie du document, dans une enveloppe adressée à la personne, entre les mains de quiconque paraît être majeur et semble habiter sous le même toit qu'elle, et en envoyant une autre copie par la poste le même jour ou le lendemain à la personne à cette même adresse

SPECIAL SERVICE—DOCUMENTS THAT COULD LEAD TO IMPRISONMENT

(4) Special service of the following documents shall be carried out only by a method set out in subclause (3) (a), unless the court orders otherwise:

1. A notice of contempt motion.
2. A summons to witness.
3. A notice of motion or notice of default hearing in which the person to be served faces a possibility of imprisonment.

REGULAR SERVICE AT ADDRESS ON LATEST DOCUMENT

(5) Regular service may be carried out at the address for service shown on the latest document filed by the person to be served.

NOTICE OF ADDRESS CHANGE

(6) A party whose address for service changes shall immediately serve notice of the change on the other parties and file it.

SERVICE OUTSIDE BUSINESS HOURS

(7) If a document is served by any method after 4 p.m. on a day when court offices are open or at any time on a day when they are not open, service is effective on the next day when they are open.

HOURS OF FAX SERVICE

(8) Service of a document by fax may be carried out only before 4 p.m. on a day when court offices are open, unless the parties consent or the court orders otherwise.

EFFECTIVE DATE, SERVICE BY MAIL

(9) Service of a document by mail is effective on the fifth day after it was mailed.

EFFECTIVE DATE, SERVICE BY COURIER

(10) Service of a document by courier is effective on the day after the courier picks it up.

EFFECTIVE DATE, SERVICE BY DOCUMENT EXCHANGE

(11) Service by deposit at a document exchange is effective only if the copy deposited and an additional copy of the document are date-stamped by the document exchange in the presence of the person depositing the copy, and then service is effective on the day after the date on the stamp.

INFORMATION TO BE INCLUDED WITH DOCUMENT SERVED BY FAX

- (12) A document that is served by fax shall show, on its first page,
- (a) the sender's name, address, telephone number and fax number;
 - (b) the name of the person or lawyer to be served;
 - (c) the date and time of the fax;
 - (d) the total number of pages faxed; and
 - (e) the name and telephone number of a person to contact in case of transmission difficulties.

SIGNIFICATION SPÉCIALE — DOCUMENTS POUVANT MENER À L'EMPRISONNEMENT

(4) Sauf ordonnance contraire du tribunal, la signification spéciale des documents suivants ne s'effectue que par un mode de signification énoncé à l'alinéa (3) a) :

1. Un avis de motion pour outrage.
2. Une assignation de témoin.
3. Un avis de motion ou un avis d'audience sur le défaut selon lequel la personne qui doit recevoir signification s'expose à une peine d'emprisonnement.

SIGNIFICATION ORDINAIRE À L'ADRESSE FIGURANT SUR LE PLUS RÉCENT DOCUMENT

(5) La signification ordinaire peut être effectuée à l'adresse aux fins de signification figurant sur le plus récent document déposé par la personne qui doit recevoir signification.

AVIS DE CHANGEMENT D'ADRESSE

(6) Dès que son adresse aux fins de signification change, la partie signifie un avis du changement aux autres parties et le dépose.

SIGNIFICATION APRÈS LES HEURES D'OUVERTURE

(7) Si un document est signifié de quelque façon que ce soit après 16 heures un jour où les greffes sont ouverts ou à n'importe quelle heure un jour où ils ne le sont pas, la signification est valable le jour suivant où ils sont ouverts.

HEURES PRÉVUES POUR LA SIGNIFICATION PAR TÉLÉCOPIE

(8) Sauf consentement des parties ou ordonnance contraire du tribunal, la signification d'un document par télécopie ne peut s'effectuer qu'avant 16 heures un jour où les greffes sont ouverts.

DATE D'EFFET — SIGNIFICATION PAR LA POSTE

(9) La signification d'un document par la poste est valable le cinquième jour suivant sa mise à la poste.

DATE D'EFFET — SIGNIFICATION PAR MESSAGERIE

(10) La signification d'un document par messagerie est valable le jour suivant celui où le messenger passe le prendre.

DATE D'EFFET — SIGNIFICATION PAR L'ENTREMISE D'UN CENTRE DE DISTRIBUTION DE DOCUMENTS

(11) La signification d'un document par voie de dépôt à un centre de distribution de documents n'est valable que si le préposé appose, en présence de la personne qui lui a remis la copie, le timbre dateur sur la copie déposée et sur une autre copie du document, la signification étant alors valable le jour suivant la date du timbre dateur.

RENSEIGNEMENTS À INCLURE AVEC LE DOCUMENT SIGNIFIÉ PAR TÉLÉCOPIE

- (12) Le document qui est signifié par télécopie indique sur la première page les renseignements suivants :
- a) les nom, adresse et numéros de téléphone et de télécopieur de l'expéditeur;
 - b) le nom de la personne ou de l'avocat à qui le document doit être signifié;
 - c) les date et heure de la télécopie;
 - d) le nombre total de pages transmises par télécopie;
 - e) les nom et numéro de téléphone d'une personne avec laquelle on peut communiquer en cas de difficultés de transmission.

MAXIMUM LENGTH OF DOCUMENT THAT MAY BE FAXED

(13) Service of a document or documents relating to a single step in a case may be carried out by fax only if the total number of pages (including any cover page or back sheet) is not more than 16, unless the parties consent in advance or the court orders otherwise.

DOCUMENTS THAT MAY NOT BE FAXED

(14) A trial record, appeal record, factum or book of authorities may not be served by fax at any time unless the person to be served consents in advance.

SUBSTITUTED SERVICE

(15) The court may, on motion without notice, order that a document be served by substituted service, using a method chosen by the court, if the party making the motion,

- (a) provides detailed evidence showing,
 - (i) what steps have been taken to locate the person to be served, and
 - (ii) if the person has been located, what steps have been taken to serve the document on that person; and
- (b) shows that the method of service could reasonably be expected to bring the document to the person's attention.

SERVICE NOT REQUIRED

(16) The court may, on motion without notice, order that service is not required if,

- (a) reasonable efforts to locate the person to be served have not been or would not be successful; and
- (b) there is no method of substituted service that could reasonably be expected to bring the document to the person's attention.

SERVICE BY ADVERTISEMENT

(17) If the court orders service by advertisement, Form 6A shall be used.

APPROVING IRREGULAR SERVICE

(18) When a document has been served by a method not allowed by these rules or by an order, the court may make an order approving the service if the document,

- (a) came to the attention of the person to be served; or
- (b) would have come to the person's attention if the person had not been evading service.

PROOF OF SERVICE

(19) Service of a document may be proved by,

- (a) an acceptance or admission of service, written by the person to be served or the person's lawyer;
- (b) an affidavit of service (Form 6B);
- (c) the return postcard mentioned in clause (3) (c); or
- (d) the date stamp on a copy of the document served by deposit at a document exchange.

LONGUEUR MAXIMALE DU DOCUMENT POUVANT ÊTRE TÉLÉCOPIÉ

(13) Sauf consentement préalable des parties ou ordonnance contraire du tribunal, la signification d'un ou de plusieurs documents se rapportant à une seule étape d'une cause ne peut s'effectuer par télécopie que si le nombre total de pages, y compris toute page couverture ou feuille arrière, ne dépasse pas 16.

DOCUMENTS QUI NE PEUVENT PAS ÊTRE TÉLÉCOPIÉS

(14) Un dossier de procès, un dossier d'appel, un mémoire ou un recueil des éléments de doctrine et de jurisprudence ne peut pas être signifié par télécopie à quelque moment que ce soit, sauf si la personne qui doit en recevoir signification y consent au préalable.

SIGNIFICATION INDIRECTE

(15) Le tribunal peut, sur motion présentée sans préavis, ordonner qu'un document soit signifié par signification indirecte selon le mode qu'il choisit si la partie qui présente la motion :

- a) soumet des preuves détaillées de ce qui suit :
 - (i) les démarches qui ont été entreprises pour trouver la personne qui doit recevoir signification,
 - (ii) si on a trouvé la personne, les démarches qui ont été entreprises pour lui signifier le document;
- b) démontre que le mode de signification porterait selon toutes attentes raisonnables le document à la connaissance de la personne.

SIGNIFICATION NON REQUISE

(16) Le tribunal peut, sur motion présentée sans préavis, ordonner que la signification ne sera pas requise si les conditions suivantes sont réunies :

- a) des efforts raisonnables pour trouver la personne qui doit recevoir signification n'ont pas donné ou ne donneraient pas de résultats;
- b) il n'y a pas de mode de signification indirecte qui pourrait, selon toutes attentes raisonnables, porter le document à la connaissance de la personne.

SIGNIFICATION PAR PUBLICATION D'UNE ANNONCE

(17) Si le tribunal ordonne la signification par publication d'une annonce, la formule 6A est utilisée.

APPROBATION D'UNE SIGNIFICATION IRRÉGULIÈRE

(18) Lorsqu'un document a été signifié par un mode de signification non permis par les présentes règles ou par une ordonnance, le tribunal peut rendre une ordonnance approuvant la signification si le document :

- a) soit a été porté à la connaissance de la personne qui doit recevoir signification;
- b) soit aurait été porté à la connaissance de la personne si elle ne s'était pas soustraite à la signification.

PREUVE DE LA SIGNIFICATION

(19) La signification d'un document peut être établie par l'un ou l'autre des moyens suivants :

- a) une acceptation ou admission de la signification, donnée par écrit par la personne qui doit recevoir signification ou par son avocat;
- b) un affidavit de signification (formule 6B);
- c) la carte postale de réponse mentionnée à l'alinéa (3) c);
- d) le sceau du timbre dateur apposé sur une copie du document signifié par voie de dépôt à un centre de distribution de documents.

RULE 7: PARTIES**WHO ARE PARTIES—CASE**

7. (1) A person who makes a claim in a case or against whom a claim is made in a case is a party to the case.

WHO ARE PARTIES—MOTION

(2) For purposes of a motion only, a person who is affected by a motion is also a party, but this does not apply to a child affected by a motion relating to custody, access, child protection, adoption or child support.

PERSONS WHO MUST BE NAMED AS PARTIES

- (3) A person starting a case shall name,
 - (a) as an applicant, every person who makes a claim;
 - (b) as a respondent,
 - (i) every person against whom a claim is made, and
 - (ii) every other person who should be a party to enable the court to decide all the issues in the case.

PARTIES IN CASES INVOLVING CHILDREN

(4) In any of the following cases, every parent or other person who has care and control of the child involved, except a foster parent under the *Child and Family Services Act*, shall be named as a party, unless the court orders otherwise:

- 1. A case about custody of or access to a child.
- 2. A child protection case.
- 3. A secure treatment case (Part VI of the *Child and Family Services Act*).

PARTY ADDED BY COURT ORDER

(5) The court may order that any person who should be a party shall be added as a party, and may give directions for service on that person.

PERMANENT CASE NAME AND COURT FILE NUMBER

(6) The court file number given to a case and the description of the parties as applicants and respondents in the case shall remain the same on a motion to change an order, a status review application, an enforcement or an appeal, no matter who starts it, with the following exceptions:

- 1. In an enforcement of a payment order, the parties may be described instead as payors, recipients and garnishees.
- 2. In an appeal, the parties shall also be described as appellants and respondents.
- 3. When a case is transferred to another municipality, it may be given a new court file number.

RULE 8: STARTING A CASE**FILING AN APPLICATION**

8. (1) To start a case, a person shall file an application (Form 8, 8A, 8B, 8C or 8D) and, if required, a summary of court cases (Form 8E).

RÈGLE 7 : PARTIES**PARTIES À UNE CAUSE**

7. (1) La personne qui présente une demande ou contre laquelle une demande est présentée dans une cause est partie à celle-ci.

PARTIES À UNE MOTION

(2) Aux fins d'une motion uniquement, la personne qu'elle concerne est également partie à la motion, mais non un enfant que concerne une motion portant sur la garde, le droit de visite, la protection, l'adoption ou les aliments.

PERSONNES QUI DOIVENT ÊTRE DÉSIGNÉES COMME PARTIES

- (3) La personne qui introduit une cause désigne :
 - a) comme requérant, chaque personne qui présente une demande;
 - b) comme intimé :
 - (i) d'une part, chaque personne contre laquelle une demande est présentée,
 - (ii) d'autre part, toute autre personne qui devrait être une partie de façon à permettre au tribunal de décider toutes les questions en litige dans la cause.

PARTIES À DES CAUSES PORTANT SUR DES ENFANTS

(4) Dans les causes suivantes, le père ou la mère de l'enfant concerné ou toute autre personne qui assure ses soins et sa surveillance, à l'exception d'un père ou d'une mère de famille d'accueil visés par la *Loi sur les services à l'enfance et à la famille*, est désigné comme partie, sauf ordonnance contraire du tribunal:

- 1. Une cause portant sur la garde d'un enfant ou le droit de visite à un enfant.
- 2. Une cause portant sur la protection d'un enfant.
- 3. Une cause portant sur le traitement en milieu fermé (partie VI de la *Loi sur les services à l'enfance et à la famille*).

JOINTION D'UNE PARTIE PAR ORDONNANCE DU TRIBUNAL

(5) Le tribunal peut ordonner que toute personne qui devrait être une partie soit jointe comme partie et peut donner des directives concernant la signification de documents à cette personne.

PERMANENCE DE L'INTITULÉ DE LA CAUSE ET DU NUMÉRO DE DOSSIER DU GREFFE

(6) Le numéro de dossier du greffe attribué à une cause et la désignation des parties comme requérants ou intimés dans la cause demeurent les mêmes dans le cas d'une motion en modification d'une ordonnance, d'une requête en révision de statut, d'une procédure d'exécution ou d'un appel, quelle que soit la personne qui en prend l'initiative. Sont toutefois prévues les exceptions suivantes :

- 1. Dans le cas de l'exécution d'une ordonnance de paiement, les parties peuvent être désignées comme payeurs, bénéficiaires ou tiers saisis.
- 2. Dans le cas d'un appel, les parties sont également désignées comme appellants ou intimés.
- 3. Lorsqu'une cause est transférée à une autre municipalité, un nouveau numéro de dossier du greffe peut lui être attribué.

RÈGLE 8 : INTRODUCTION D'UNE CAUSE**DÉPÔT D'UNE REQUÊTE**

8. (1) La personne qui désire introduire une cause dépose une requête (formule 8, 8A, 8B, 8C ou 8D) et, si cela est exigé, un résumé des causes (formule 8E).

CHANGE TO ORDER OR AGREEMENT—BY MOTION

(2) A party who wants to ask the court to change an order or agreement shall do so only by a motion under rule 15 (except in a status review application under the *Child and Family Services Act*, to which that rule does not apply).

CLAIMS IN APPLICATION

- (3) An application may contain,
 - (a) a claim against more than one person; and
 - (b) more than one claim against the same person.

COURT DATE SET WHEN APPLICATION FILED

- (4) When an application is filed, the clerk shall,
 - (a) set a court date, except as provided by subrule 39 (7) (case management, standard track); and
 - (b) seal the application with the court seal.

SERVICE OF APPLICATION

(5) The application shall be served immediately on every other party, and special service shall be used unless the party is listed in subrule (6).

SERVICE ON OFFICIALS, AGENCIES, ETC.

- (6) The application may be served by regular service,
 - (a) on a foster parent, at the foster parent's residence;
 - (b) on a representative of a band or native community, by serving the chief or other person who appears to be in charge of its management;
 - (c) on any of the following persons, at their place of business:
 1. A Director appointed under section 5 of the *Child and Family Services Act*.
 2. A local director appointed under section 16 of the *Child and Family Services Act*.
 3. An administrator in charge of a secure treatment program under Part VI of the *Child and Family Services Act*.
 4. A children's aid society.
 5. The Minister of Community and Social Services.
 6. An agency referred to in subsection 33 (3) of the *Family Law Act* or subsection 20.1 (1) of the *Divorce Act* (Canada).
 7. The Director of the Family Responsibility Office.
 8. The Children's Lawyer.
 9. The Public Guardian and Trustee.
 10. The Registrar General.

SERVING PROTECTION APPLICATION ON CHILD

(7) In a child protection case in which the child is entitled to notice, the application shall be served on the child by special service.

MODIFICATION D'UNE ORDONNANCE OU D'UN ACCORD — PAR VOIE DE MOTION

(2) La partie qui désire demander au tribunal de modifier une ordonnance ou un accord ne peut le faire qu'au moyen d'une motion présentée aux termes de la règle 15, sauf dans le cas d'une requête en révision de statut visée à la *Loi sur les services à l'enfance et à la famille*, à laquelle cette règle ne s'applique pas.

DEMANDES COMPRISES DANS UNE REQUÊTE

- (3) Une requête peut comprendre :
 - a) d'une part, une demande présentée contre plus d'une personne;
 - b) d'autre part, plus d'une demande présentée contre la même personne.

FIXATION DE LA DATE D'AUDIENCE AU MOMENT DU DÉPÔT DE LA REQUÊTE

- (4) Lorsqu'une requête est déposée, le greffier :
 - a) d'une part, fixe une date d'audience, sauf dans les cas prévus par le paragraphe 39 (7) (gestion des causes : voie ordinaire),
 - b) d'autre part, fait apposer sur la requête le sceau du tribunal.

SIGNIFICATION DE LA REQUÊTE

(5) La requête est signifiée immédiatement à chacune des autres parties par voie de signification spéciale, à moins qu'il ne s'agisse d'une des parties énumérées au paragraphe (6).

SIGNIFICATION DE LA REQUÊTE AUX FONCTIONNAIRES PUBLICS, ORGANISMES ET AUTRES PERSONNES

- (6) La requête peut être signifiée par voie de signification ordinaire aux personnes suivantes :
 - a) un père ou une mère de famille d'accueil, à son domicile;
 - b) un représentant d'une bande ou d'une collectivité autochtone, en la signifiant au chef ou à l'autre personne qui semble être chargée de sa direction;
 - c) l'une ou l'autre des personnes suivantes, à leur établissement :
 1. Un directeur nommé en vertu de l'article 5 de la *Loi sur les services à l'enfance et à la famille*.
 2. Un directeur local nommé aux termes de l'article 16 de la *Loi sur les services à l'enfance et à la famille*.
 3. Un administrateur responsable d'un programme de traitement en milieu fermé visé à la partie VI de la *Loi sur les services à l'enfance et à la famille*.
 4. Une société d'aide à l'enfance.
 5. Le ministre des Services sociaux et communautaires.
 6. Un organisme mentionné au paragraphe 33 (3) de la *Loi sur le droit de la famille* ou une administration mentionnée au paragraphe 20.1 (1) de la *Loi sur le divorce* (Canada).
 7. Le directeur du Bureau des obligations familiales.
 8. L'avocat des enfants.
 9. Le Tuteur et curateur public.
 10. Le registraire général de l'état civil.

SIGNIFICATION À L'ENFANT D'UNE REQUÊTE EN MATIÈRE DE PROTECTION

(7) Dans une cause portant sur la protection d'un enfant dans laquelle l'enfant a droit à un préavis, la requête lui est signifiée par voie de signification spéciale.

SERVING SECURE TREATMENT APPLICATION ON CHILD

(8) An application for secure treatment (Part VI of the *Child and Family Services Act*) shall be served on the child by special service.

SERVING APPLICATION ON CHILD'S LAWYER

(9) If an order has been made for legal representation of a child under section 38 or subsection 114 (6) of the *Child and Family Services Act* or under subrule 4 (7), the applicant, or another party directed by the court, shall serve all documents in the continuing record and any status review application on the child's lawyer by regular service.

SERVING PROTECTION APPLICATION BEFORE START OF CASE

(10) If a child is brought to a place of safety (section 40, 42 or 43 of the *Child and Family Services Act*) or a homemaker remains or is placed on premises (subsection 78 (2) of that Act), an application may be served without being sealed by the clerk, if it is filed on or before the court date.

APPLICATION NOT SERVED ON OR BEFORE COURT DATE

(11) If an application is not served on a respondent on or before the court date, at the applicant's request the clerk shall set a new court date for that respondent and the applicant shall make the necessary change to the application and serve it immediately on that respondent.

RULE 9: CONTINUING RECORD**HOW CONTINUING RECORD CREATED**

9. (1) A person starting a case shall,
 - (a) prepare the continuing record of the case, to be the court's permanent record of the case;
 - (b) serve it on all other parties; and
 - (c) before filing it, add to it the affidavits of service or other documents proving service of the continuing record under clause (b).

DUTY TO KEEP UP CONTINUING RECORD

(2) Once the continuing record has been filed, the parties, under the clerk's supervision, are responsible for adding to it all documents that are filed in the case.

FORM AND COVER

(3) The continuing record shall have a red front cover and be in a form that allows documents to be added to it as this rule requires.

THREE-HOLE FORMAT

(4) All documents in the continuing record shall be punched in standard three-hole format.

CONTENTS

(5) The following requirements apply to the contents of the continuing record:

1. First, there shall be a section labelled "Contents", containing a cumulative table of contents which shall be updated every time a document is filed. The cumulative table of contents shall list every document filed, indicating the tab or page number of the record where the document is found, the kind of document, which party filed it, the date of the document and the date it was filed. For an affidavit or transcript of evidence, the name of the person who gave the affidavit or the evidence shall also be shown.

SIGNIFICATION À L'ENFANT D'UNE REQUÊTE EN MATIÈRE DE TRAITEMENT EN MILIEU FERMÉ

(8) Une requête en matière de traitement en milieu fermé (partie VI de la *Loi sur les services à l'enfance et à la famille*) est signifiée à l'enfant par voie de signification spéciale.

SIGNIFICATION D'UNE REQUÊTE À L'AVOCAT DE L'ENFANT

(9) Si une ordonnance a été rendue pour qu'un enfant soit représenté par un avocat en vertu de l'article 38 ou du paragraphe 114 (6) de la *Loi sur les services à l'enfance et à la famille* ou du paragraphe 4 (7), le requérant, ou l'autre partie que désigne le tribunal, signifie à l'avocat de l'enfant par voie de signification ordinaire tous les documents versés au dossier continu et toute requête en révision de statut.

SIGNIFICATION D'UNE REQUÊTE EN MATIÈRE DE PROTECTION AVANT L'INTRODUCTION D'UNE CAUSE

(10) Si un enfant est amené dans un lieu sûr (article 40, 42 ou 43 de la *Loi sur les services à l'enfance et à la famille*) ou qu'une aide familiale reste dans des locaux ou y est placée (paragraphe 78 (2) de cette loi), une requête peut être signifiée sans être scellée par le greffier, à la condition d'être déposée au plus tard à la date d'audience.

REQUÊTE NON SIGNIFIÉE AU PLUS TARD À LA DATE D'AUDIENCE

(11) Si une requête n'est pas signifiée à un intimé au plus tard à la date d'audience, le greffier fixe, à la demande du requérant, une nouvelle date d'audience pour l'intimé et le requérant apporte la modification nécessaire à la requête et la signifie immédiatement à celui-ci.

RÈGLE 9 : DOSSIER CONTINU**MODALITÉS DE CONSTITUTION DU DOSSIER CONTINU**

9. (1) La personne qui introduit une cause fait ce qui suit :
 - a) elle établit le dossier continu de la cause, qui en constituera le dossier permanent du tribunal;
 - b) elle le signifie aux autres parties;
 - c) avant de le déposer, elle y verse les affidavits de signification ou autres documents attestant la signification du dossier continu prévue à l'alinéa b).

OBLIGATION DE TENIR À JOUR LE DOSSIER CONTINU

(2) Une fois que le dossier continu a été déposé, les parties, sous la supervision du greffier, sont chargées d'y verser tous les documents qui sont déposés dans le cadre de la cause.

FORME ET COUVERTURE

(3) Le dossier continu comporte une couverture avant rouge et sa forme permet l'adjonction de documents comme l'exige la présente règle.

FORMAT À TROIS TROUS

(4) Tous les documents versés au dossier continu sont perforés selon le format type à trois trous.

CONTENU

(5) Les exigences suivantes s'appliquent au contenu du dossier continu :

1. Au début, figure une section intitulée «Table des matières», comportant une table des matières cumulative qui est mise à jour chaque fois qu'un document est déposé. Elle énumère chacun des documents déposés, en précisant le numéro d'onglet ou de page du dossier où se trouve le document, le genre de document dont il s'agit, la partie qui l'a déposé, la date du document ainsi que la date de son dépôt. Dans le cas d'un affidavit ou de la transcription d'un témoignage, le nom de son auteur est également indiqué.

2. After the first section, there shall be a section labelled "Endorsements" containing 10 blank pages (or more if necessary), on which the judge dealing with any step in the case shall note the disposition of that step and the date. The court's file copy of each order made in the case shall be put into the endorsement section after the endorsement pages. If the continuing record has more than one volume, the endorsement section shall be only in the first one.
3. Next there shall be a section labelled "Documents", containing every document filed in the case arranged in order, with the most recent one at the back. The documents shall be numbered consecutively.
4. If 100 or more pages have been put into the documents section of a volume of the continuing record, the person filing the next document shall create a new volume. The volume shall be numbered on its front cover and shall contain separate contents and documents sections as provided in paragraphs 1 and 3.

WRITTEN REASONS FOR ORDER

- (6) If the court gives written reasons for making an order,
 - (a) they may be endorsed on the continuing record by hand, or the endorsement may be a short note saying that written reasons are being given separately;
 - (b) the clerk shall add a copy of the reasons to the endorsements section of the continuing record; and
 - (c) the clerk shall send the reasons to the parties by mail, fax or electronic mail, together with an updated cumulative table of contents that records the reasons and the date when they were given.

PARTY'S DUTY TO KEEP UP CONTINUING RECORD

- (7) A party serving documents shall,
 - (a) serve and file any documents that are not already in the continuing record; and
 - (b) serve with the documents an updated cumulative table of contents that lists the documents being filed.

NO SERVICE OR FILING OF DOCUMENTS ALREADY IN CONTINUING RECORD

- (8) A party shall not serve or file any document that is already in the continuing record, despite any requirement in these rules that the document be served and filed.

DOCUMENTS REFERRED TO BY NUMBER IN CONTINUING RECORD

- (9) A party who is relying on a document in the continuing record shall refer to it by its tab or page number in the continuing record.

DOCUMENTS NOT TO BE REMOVED FROM CONTINUING RECORD

- (10) No document shall be removed from the continuing record, except by order.

USE OF CONTINUING RECORD FOR MATTERS AFTER THE CASE ENDS

- (11) If the court has made a final order, any existing continuing record for the case shall continue to be used,

- (a) for an enforcement of the order, if the enforcement is started at the court office where the continuing record is kept;

2. Après la première section, vient une section intitulée «Inscriptions» et comportant 10 pages vierges (ou plus, si besoin est), sur lesquelles le juge qui s'occupe de l'étape de la cause en question en inscrit le résultat et la date. La copie de chaque ordonnance rendue dans la cause que doit conserver le tribunal est versée dans la section des inscriptions à la suite des pages réservées à celles-ci. Si le dossier continu comporte plus d'un volume, la section des inscriptions ne figure que dans le premier.
3. Vient ensuite une section intitulée «Documents», qui contient tous les documents déposés dans la cause, présentés par ordre chronologique, le plus récent étant placé à la fin. Les documents y sont numérotés consécutivement.
4. Si 100 pages ou plus ont été versées dans la section des documents d'un volume du dossier continu, la personne qui dépose le document suivant constitue un nouveau volume. Un numéro est apposé sur la couverture avant du volume, lequel contient des sections distinctes pour la table des matières et les documents, comme le prévoient les dispositions 1 et 3.

MOTIFS ÉCRITS DE L'ORDONNANCE

- (6) Si le tribunal donne par écrit les motifs de l'ordonnance qu'il rend :
 - a) ils peuvent être inscrits à la main dans le dossier continu ou l'inscription peut prendre la forme d'une brève remarque indiquant que les motifs écrits sont fournis séparément;
 - b) le greffier insère une copie des motifs dans la section des inscriptions du dossier continu;
 - c) le greffier communique les motifs aux parties par la poste, par télécopie ou par courrier électronique avec une table des matières cumulative mise à jour qui consigne les motifs et la date à laquelle ils ont été fournis.

OBLIGATION DE LA PARTIE DE TENIR À JOUR LE DOSSIER CONTINU

- (7) La partie qui signifie des documents :
 - a) d'une part, signifie et dépose tous documents qui ne se trouvent pas déjà dans le dossier continu;
 - b) d'autre part, signifie avec les documents une table des matières cumulative mise à jour qui énumère les documents déposés.

SIGNIFICATION OU DÉPÔT INTERDIT DES DOCUMENTS DÉJÀ VERSÉS AU DOSSIER CONTINU

- (8) Une partie ne doit pas signifier ni déposer un document qui se trouve déjà dans le dossier continu, même si les présentes règles exigent qu'il le soit.

DOCUMENTS DU DOSSIER CONTINU MENTIONNÉS PAR NUMÉRO

- (9) La partie qui s'appuie sur un document figurant dans le dossier continu y renvoie en précisant son numéro d'onglet ou de page dans le dossier continu.

NON-RETRAIT DES DOCUMENTS DU DOSSIER CONTINU

- (10) Sauf ordonnance, aucun document ne doit être retiré du dossier continu.

UTILISATION DU DOSSIER CONTINU POUR LES QUESTIONS SURVENANT APRÈS LA CLÔTURE DE LA CAUSE

- (11) Si le tribunal a rendu une ordonnance définitive, le dossier continu de la cause qui existe déjà continue d'être utilisé :

- a) aux fins de l'exécution de l'ordonnance, si la procédure d'exécution est commencée au greffe où est conservé le dossier continu;

- (b) for a motion to change the order, if the motion is started at the court office where the continuing record is kept;
- (c) for a status review of a child protection order, if the status review application is started at the court office where the continuing record is kept.

APPEAL

(12) If a final order is appealed, only the notice of appeal and the order of the appeal court (and no other appeal document) shall be added to the continuing record.

TRANSFER OF CONTINUING RECORD IF CASE TRANSFERRED

(13) If the court transfers a case to another municipality the clerk shall, on request, transfer the continuing record to the clerk at the court office in the other municipality, and the continuing record shall be used there as if the case had started in the other municipality.

TRANSFER OF CONTINUING RECORD ON REQUEST

(14) If a person takes a step referred to in subrule (11) in another municipality, the clerk shall, on request, transfer the continuing record to the other municipality and then,

- (a) the continuing record may be used as if the case had started in the other municipality; or
- (b) a new continuing record may be started there.

CONTINUING RECORD FOR CONFIRMATION OF SUPPORT ORDER

(15) When a provisional support order or a provisional change to a support order is sent to a court in Ontario for confirmation,

- (a) if the provisional order or change was made in Ontario, the clerk shall send the continuing record to the court office where the confirmation is to take place and the respondent shall update it as this rule requires; and
- (b) if the provisional order or change was not made in Ontario, the clerk shall prepare the continuing record and the respondent shall update it as this rule requires.

TRANSITIONAL PROVISION

(16) This rule applies to cases started before these rules come into effect, in the following manner:

1. Any party may at any time prepare, serve and file the continuing record as described in subrule (1). This rule then applies to all documents filed afterward.
2. If neither party has filed the continuing record in accordance with paragraph 1, the first party who files a document after these rules come into effect shall start the continuing record as described in subrule (1). This rule then applies to all documents filed afterward.
3. Despite paragraph 2, the court may free a party from the obligation to start the continuing record, and give other directions about the form and contents of the record for the case.

RULE 10: ANSWERING A CASE

SERVING AND FILING ANSWER

10. (1) A person against whom an application is made shall serve an answer (Form 10) on every other party and file it within 30 days after being served with the application.

- b) aux fins d'une motion en modification de l'ordonnance, si la motion est présentée au greffe où est conservé le dossier continu;
- c) aux fins de la révision de statut d'une ordonnance de protection d'un enfant, si la requête en révision de statut est introduite au greffe où est conservé le dossier continu.

APPEL

(12) S'il est interjeté appel d'une ordonnance définitive, seuls l'avis d'appel et l'ordonnance du tribunal d'appel (à l'exclusion de tout autre document relatif à l'appel) sont versés au dossier continu.

TRANSFERT DU DOSSIER CONTINU EN CAS DE TRANSFERT DE LA CAUSE

(13) Si le tribunal transfère la cause à une autre municipalité, le greffier transfère, sur demande, le dossier continu au greffier du greffe de cette municipalité et le dossier continu y est utilisé comme si la cause y avait été introduite.

TRANSFERT DU DOSSIER CONTINU SUR DEMANDE

(14) Si une personne prend une mesure mentionnée au paragraphe (11) dans une autre municipalité, le greffier transfère, sur demande, le dossier continu à cette municipalité, après quoi :

- a) le dossier continu peut y être utilisé comme si la cause y avait été introduite;
- b) un nouveau dossier continu peut y être établi.

DOSSIER CONTINU POUR L'HOMOLOGATION D'UNE ORDONNANCE ALIMENTAIRE

(15) Lorsqu'une ordonnance alimentaire conditionnelle ou une modification conditionnelle à apporter à une ordonnance alimentaire est soumise à un tribunal ontarien aux fins d'homologation :

- a) si l'ordonnance conditionnelle a été rendue ou la modification apportée en Ontario, le greffier envoie le dossier continu au greffe où l'homologation doit se faire et l'intimé le met à jour comme l'exige la présente règle;
- b) si l'ordonnance conditionnelle n'a pas été rendue ni la modification apportée en Ontario, le greffier établit le dossier continu et l'intimé le met à jour comme l'exige la présente règle.

DISPOSITION TRANSITOIRE

(16) La présente règle s'applique aux causes introduites avant l'entrée en vigueur des présentes règles, de la façon suivante :

1. Toute partie peut à quelque moment que ce soit établir, signifier et déposer le dossier continu comme l'indique le paragraphe (1). La présente règle s'applique alors à tous les documents déposés par la suite.
2. Si aucune des parties n'a déposé le dossier continu conformément à la disposition 1, la partie qui dépose la première un document après l'entrée en vigueur des présentes règles ouvre le dossier continu comme l'indique le paragraphe (1). La présente règle s'applique alors à tous les documents déposés par la suite.
3. Malgré la disposition 2, le tribunal peut dispenser une partie d'ouvrir le dossier continu, et donner d'autres directives concernant la forme et le contenu du dossier de la cause.

RÈGLE 10 : DÉFENSE À UNE CAUSE

SIGNIFICATION ET DÉPÔT D'UNE DÉFENSE

10. (1) La personne contre laquelle une requête est présentée signifie une défense (formule 10) à chacune des autres parties et la dépose au plus tard 30 jours après que la requête lui est signifiée.

TIME FOR ANSWER—APPLICATION SERVED OUTSIDE CANADA OR U.S.A.

(2) If an application is served outside Canada or the United States of America, the time for serving and filing an answer is 60 days.

ANSWER MAY INCLUDE CLAIM

- (3) A respondent may include in the answer,
 - (a) a claim against the applicant;
 - (b) a claim against any other person, who then also becomes a respondent in the case.

ANSWER BY ADDED RESPONDENT

(4) Subrules (1) to (3) apply to a respondent added under subrule (3), except that the time for serving and filing an answer is 14 days after service on the added respondent, or 30 days if the added respondent is served outside Canada or the United States of America.

NO ANSWER OR ANSWER STRUCK OUT

(5) If a respondent does not serve and file an answer as this rule requires, or if the answer is struck out by an order,

- (a) the respondent is not entitled to any further notice of steps in the case (except as subrule 25 (13) (service of order) provides);
- (b) the respondent is not entitled to participate in the case in any way;
- (c) the court may deal with the case in the respondent's absence; and
- (d) the clerk may set a date for an uncontested trial.

REPLY

(6) A party may, within 10 days after being served with an answer, serve and file a reply (Form 10A) in response to a claim made in the answer.

RULE 11: AMENDING AN APPLICATION, ANSWER OR REPLY**AMENDING APPLICATION WITHOUT COURT'S PERMISSION**

11. (1) An applicant may amend the application without the court's permission as follows:

- 1. If no answer has been filed, by serving and filing an amended application in the manner set out in rule 8 (starting a case).
- 2. If an answer has been filed, by serving and filing an amended application in the manner set out in rule 8 and also filing the consent of all parties to the amendment.

AMENDING ANSWER WITHOUT COURT'S PERMISSION

(2) A respondent may amend the answer without the court's permission as follows:

- 1. If the application has been amended, by serving and filing an amended answer within 14 days after being served with the amended application.

DÉLAIS DE PRÉSENTATION D'UNE DÉFENSE — REQUÊTE SIGNIFIÉE À L'EXTÉRIEUR DU CANADA OU DES ÉTATS-UNIS

(2) Si une requête est signifiée à l'extérieur du Canada ou des États-Unis d'Amérique, le délai pour signifier et déposer une défense est de 60 jours.

POSSIBILITÉ D'INCLURE UNE DEMANDE DANS LA DÉFENSE

- (3) Un intimé peut inclure dans la défense :
 - a) une demande contre le requérant;
 - b) une demande contre toute autre personne, qui devient alors également un intimé dans la cause.

DÉFENSE PRÉSENTÉE PAR L'INTIMÉ JOINT

(4) Les paragraphes (1) à (3) s'appliquent à un intimé joint aux termes du paragraphe (3), sauf que le délai pour signifier et déposer une défense est de 14 jours après sa signification à l'intimé joint, ou de 30 jours si ce dernier en reçoit signification à l'extérieur du Canada ou des États-Unis d'Amérique.

ABSENCE DE DÉFENSE OU RADIATION DE LA DÉFENSE

(5) Si un intimé ne signifie ni ne dépose de défense, contrairement à la présente règle, ou si la défense est radiée par une ordonnance :

- a) l'intimé n'a pas droit à d'autre préavis des étapes de la cause, sous réserve du paragraphe 25 (13) (signification de l'ordonnance);
- b) l'intimé n'a pas le droit de prendre part à la cause de quelque façon que ce soit;
- c) le tribunal peut traiter la cause en l'absence de l'intimé;
- d) le greffier peut fixer une date pour la tenue d'un procès non contesté.

RÉPONSE

(6) Une partie peut, au plus tard 10 jours après qu'une défense lui est signifiée, signifier et déposer une réponse (formule 10A) à une demande présentée dans la défense.

RÈGLE 11 : MODIFICATION D'UNE REQUÊTE, D'UNE DÉFENSE OU D'UNE RÉPONSE**MODIFICATION D'UNE REQUÊTE SANS LA PERMISSION DU TRIBUNAL**

11. (1) Un requérant peut modifier sa requête sans la permission du tribunal comme suit :

- 1. Si aucune défense n'a été déposée, en signifiant et déposant une requête modifiée de la façon énoncée à la règle 8 (introduction d'une cause).
- 2. Si une défense a été déposée, en signifiant et déposant une requête modifiée de la façon énoncée à la règle 8 et en déposant également l'avis de consentement à la modification de toutes les parties.

MODIFICATION DE LA DÉFENSE SANS LA PERMISSION DU TRIBUNAL

(2) Un intimé peut modifier sa défense sans la permission du tribunal comme suit :

- 1. Si la requête a été modifiée, en signifiant et déposant une défense modifiée au plus tard 14 jours après que la requête modifiée lui est signifiée.

2. If the application has not been amended, by serving and filing an amended answer and also filing the consent of all parties to the amendment.

AMENDING APPLICATION OR ANSWER WITH COURT'S PERMISSION

(3) On motion, the court shall give permission to a party to amend an application, answer or reply, unless the amendment would disadvantage another party in a way for which costs or an adjournment could not compensate.

HOW AMENDMENT IS SHOWN

(4) An amendment shall be clearly shown by underlining all changes, and the rule or order permitting the amendment and the date of the amendment shall be noted in the margin of each amended page.

RULE 12: WITHDRAWING, COMBINING OR SPLITTING CASES

WITHDRAWING APPLICATION, ANSWER OR REPLY

12. (1) A party who does not want to continue with all or part of a case may withdraw all or part of the application, answer or reply by serving a notice of withdrawal (Form 12) on every other party and filing it.

WITHDRAWAL—SPECIAL PARTY'S APPLICATION, ANSWER OR REPLY

(2) A special party's application, answer or reply may be withdrawn (whether in whole or in part) only with the court's permission, and the notice of motion for permission shall be served on every other party and on,

- (a) the Children's Lawyer, if the special party is a child;
- (b) the Public Guardian and Trustee, if the special party is not a child.

COSTS PAYABLE ON WITHDRAWAL

(3) A party who withdraws all or part of an application, answer or reply shall pay the costs of every other party in relation to the withdrawn application, answer, reply or part, up to the date of the withdrawal, unless the court orders or the parties agree otherwise.

COSTS ON WITHDRAWAL BY GOVERNMENT AGENCY

(4) Despite subrule (3), if the party is a government agency, costs are in the court's discretion.

COMBINING AND SPLITTING CASES

(5) If it would be more convenient to hear two or more cases, claims or issues together or to split a case into two or more separate cases, claims or issues, the court may, on motion, order accordingly.

SPLITTING DIVORCE FROM OTHER ISSUES

(6) The court may, on motion, make an order splitting a divorce from the other issues in a case if,

- (a) neither spouse will be disadvantaged by the order; and
- (b) reasonable arrangements have been made for the support of any children of the marriage.

2. Si la requête n'a pas été modifiée, en signifiant et déposant une défense modifiée et en déposant également l'avis de consentement à la modification de toutes les parties.

MODIFICATION D'UNE REQUÊTE OU D'UNE DÉFENSE AVEC LA PERMISSION DU TRIBUNAL

(3) Sur motion, le tribunal permet à une partie de modifier une requête, une défense ou une réponse, sauf si la modification désavantagerait une autre partie de telle façon que l'octroi de dépens ou d'un sursis ne pourrait la dédommager.

FAÇON D'INDIQUER LA MODIFICATION

(4) Toute modification est clairement indiquée en soulignant tous les changements, et la règle ou l'ordonnance permettant la modification, ainsi que la date de la modification même, sont inscrites dans la marge de chaque page modifiée.

RÈGLE 12 : RETRAIT, JONCTION OU SÉPARATION DES CAUSES

RETRAIT D'UNE REQUÊTE, D'UNE DÉFENSE OU D'UNE RÉPONSE

12. (1) La partie qui ne désire pas poursuivre tout ou partie d'une cause peut retirer tout ou partie de la requête, de la défense ou de la réponse en signifiant à chacune des autres parties un avis de retrait (formule 12) et en le déposant.

RETRAIT — REQUÊTE, DÉFENSE OU RÉPONSE D'UNE PARTIE SPÉCIALE

(2) Toute requête, défense ou réponse d'une partie spéciale ne peut être retirée, en totalité ou en partie, qu'avec la permission du tribunal, et l'avis de motion visant à obtenir cette permission est signifié à chacune des autres parties et :

- a) à l'avocat des enfants, si la partie spéciale est un enfant;
- b) au Tuteur et curateur public, si la partie spéciale n'est pas un enfant.

DÉPENS PAYABLES EN CAS DE RETRAIT

(3) Sauf ordonnance contraire du tribunal ou consentement des parties, la partie qui retire tout ou partie d'une requête, d'une défense ou d'une réponse paie les dépens des autres parties à l'égard de tout ou partie de celle-ci jusqu'à la date du retrait.

DÉPENS EN CAS DE RETRAIT PAR UN ORGANISME GOUVERNEMENTAL

(4) Malgré le paragraphe (3), si la partie est un organisme gouvernemental, les dépens sont laissés à l'appréciation du tribunal.

JONCTION OU SÉPARATION DES CAUSES

(5) S'il est plus commode d'entendre ensemble deux ou plusieurs causes, demandes ou questions en litige, ou de séparer une cause en deux ou plusieurs causes, demandes ou questions en litige distinctes, le tribunal peut, sur motion, rendre une ordonnance en ce sens.

SÉPARATION DU DIVORCE ET DES AUTRES QUESTIONS EN LITIGE

(6) Le tribunal peut, sur motion, rendre une ordonnance séparant la question du divorce des autres questions en litige dans une cause si les conditions suivantes sont réunies :

- a) ni l'un ni l'autre conjoint ne seront désavantagés par l'ordonnance;
- b) des dispositions raisonnables ont été prises pour subvenir aux besoins de tout enfant à charge.

RULE 13: FINANCIAL STATEMENTS**FINANCIAL STATEMENT WITH APPLICATION, ANSWER, REPLY OR MOTION**

13. (1) If an application, answer, reply or notice of motion contains a claim for support or a property claim,

- (a) the party making the claim shall serve and file a financial statement (Form 13) with the document that contains the claim; and
- (b) the party against whom the claim is made shall serve and file a financial statement within the time for serving and filing an answer, reply or affidavit in response to the motion, whether the party is serving an answer, reply or affidavit in response to the motion or not.

CLAIM FOR PAYMENT ORDER UNDER CFSA

(2) If an application, answer, reply or notice of motion contains a claim for a payment order under section 60 of the *Child and Family Services Act*, clause (1) (a) does not apply to the children's aid society but clause (1) (b) applies to the party against whom the claim is made.

FINANCIAL STATEMENTS IN CUSTODY CASES

(3) If an application, answer or notice of motion contains a claim for custody of or access to a child, the court may order each party to serve and file a financial statement within the time decided by the court.

FINANCIAL STATEMENT WITH MOTION TO CHANGE SUPPORT

(4) The following requirements apply if a motion contains a claim for a change in a support order or agreement:

- 1. The party making the motion shall serve and file a financial statement with the notice of motion.
- 2. The party against whom the claim is made shall serve and file a financial statement as soon as possible after being served with the notice of motion, but in any event no later than two days before the motion date. Any affidavit in response to the motion shall be served and filed at the same time as the financial statement.

NO FINANCIAL STATEMENT FROM ASSIGNEE

(5) The assignee of a support order is not required to serve and file a financial statement under subrule (4).

FULL DISCLOSURE IN FINANCIAL STATEMENT

- (6) A party who serves and files a financial statement shall,
 - (a) make full and frank disclosure of the party's financial situation;
 - (b) attach any documents to prove the party's income that the financial statement requires;
 - (c) follow the instructions set out in the form; and
 - (d) fully complete all portions of the statement.

INCOME TAX DOCUMENTS REQUIRED

(7) The clerk shall not accept a party's financial statement for filing unless,

- (a) copies of the party's income tax returns and notices of assessment are attached as the form requires;

RÈGLE 13 : ÉTATS FINANCIERS**ÉTAT FINANCIER JOINT À UNE REQUÊTE, À UNE DÉFENSE, À UNE RÉPONSE OU À UNE MOTION**

13. (1) Si une requête, une défense, une réponse ou un avis de motion comporte une demande d'aliments ou une demande portant sur des biens :

- a) d'une part, la partie qui présente la demande signifie et dépose un état financier (formule 13) avec le document qui contient la demande;
- b) d'autre part, la partie contre laquelle est présentée la demande signifie et dépose un état financier dans le délai prévu pour signifier et déposer une défense, une réponse ou un affidavit en réponse à la motion, que cette partie signifie ou non une défense, une réponse ou un affidavit en réponse à la motion.

DEMANDE D'ORDONNANCE DE PAIEMENT — LOI SUR LES SERVICES À L'ENFANCE ET À LA FAMILLE

(2) Si une requête, une défense, une réponse ou un avis de motion comporte une demande d'ordonnance de paiement mentionnée à l'article 60 de la *Loi sur les services à l'enfance et à la famille*, l'alinéa (1) a) ne s'applique pas à la société d'aide à l'enfance, mais l'alinéa (1) b) s'applique à la partie contre laquelle est présentée la demande.

ÉTATS FINANCIERS DANS LES CAUSES PORTANT SUR LA GARDE D'UN ENFANT

(3) Si une requête, une défense ou un avis de motion comporte une demande de garde d'un enfant ou de droit de visite à un enfant, le tribunal peut ordonner à chaque partie de signifier et de déposer un état financier dans le délai qu'il fixe.

ÉTAT FINANCIER JOINT À UNE MOTION EN MODIFICATION DES ALIMENTS

(4) Les exigences suivantes s'appliquent si une motion comporte une demande de modification d'une ordonnance alimentaire ou d'un accord relatif aux aliments :

- 1. La partie qui présente la motion signifie et dépose un état financier avec l'avis de motion.
- 2. La partie contre laquelle est présentée la demande signifie et dépose un état financier dès que possible après que l'avis de motion lui est signifié, mais dans tous les cas au plus tard deux jours avant la date d'audition de la motion. Tout affidavit en réponse à la motion est signifié et déposé en même temps que l'état financier.

ÉTAT FINANCIER NON EXIGÉ DU CESSIONNAIRE

(5) Le cessionnaire d'une ordonnance alimentaire n'est pas tenu de signifier et de déposer un état financier aux termes du paragraphe (4).

DIVULGATION COMPLÈTE DANS UN ÉTAT FINANCIER

- (6) La partie qui signifie et dépose un état financier :
 - a) divulgue d'une manière fidèle et complète sa situation financière;
 - b) joint tous documents attestant son revenu qu'exige l'état financier;
 - c) suit les instructions indiquées dans la formule;
 - d) remplit intégralement toutes les parties de l'état.

DOCUMENTS FISCAUX

(7) Le greffier ne peut accepter le dépôt de l'état financier d'une partie sans que, selon le cas :

- a) des copies des déclarations de revenus et des avis de cotisation de la partie soient jointes comme l'exige la formule;

- (b) the financial statement contains the party's signed direction to the Department of National Revenue, Taxation (Form 13A) for disclosure of those documents; or
- (c) the financial statement contains a declaration that the party is not required to file an income tax return because of the *Indian Act* (Canada).

NO FINANCIAL STATEMENT BY CONSENT—SPOUSAL SUPPORT IN DIVORCE

(8) Parties to a claim for spousal support under the *Divorce Act* (Canada) do not need to serve and file financial statements if they file a consent,

- (a) agreeing not to serve and file financial statements; or
- (b) agreeing to a specified amount of support, or to no support.

NO FINANCIAL STATEMENT BY CONSENT—CHANGE IN SUPPORT

(9) Parties to a consent motion for a change in support do not need to serve and file financial statements if they file a consent agreeing not to serve and file them.

DOCUMENTS NOT TO BE FILED WITHOUT FINANCIAL STATEMENT

(10) The clerk shall not accept an application, answer, reply, notice of motion or affidavit in response for filing without a financial statement if these rules require the document to be filed with a financial statement.

ADDITIONAL FINANCIAL INFORMATION

(11) If a party believes that another party's financial statement does not contain enough information for a full understanding of the other party's financial circumstances,

- (a) the party shall ask the other party to give the necessary additional information; and
- (b) if the other party does not give it within seven days, the court may, on motion, order the other party to give the information or to serve and file a new financial statement.

UPDATING FINANCIAL STATEMENT

(12) At least seven days before any case conference, motion for a temporary order, settlement conference or trial, each party shall update the information in any financial statement that is more than 30 days old by serving and filing,

- (a) a new financial statement; or
- (b) an affidavit saying that the information in the last statement has not changed and is still true.

QUESTIONING ON FINANCIAL STATEMENT

(13) A party may be questioned under rule 20 on a financial statement provided under this rule, but only after a request for information has been made under clause (11) (a).

NET FAMILY PROPERTY STATEMENT

(14) Each party to a property claim under Part I of the *Family Law Act* shall serve and file a net family property statement (Form 13B) or, if the party has already served a net family property statement, an affidavit saying that the information in that statement has not changed and is still true,

- b) l'état financier comprenne une directive signée à l'intention du ministère du Revenu national, Impôt (formule 13A) aux fins de divulgation de ces documents;
- c) l'état financier comprenne une déclaration selon laquelle la partie n'est pas tenue de déposer une déclaration de revenus en raison de la *Loi sur les Indiens* (Canada).

AUCUN ÉTAT FINANCIER REQUIS S'IL Y A CONSENTEMENT — ALIMENTS DU CONJOINT DANS UN DIVORCE

(8) Les parties à une demande d'aliments pour le conjoint visée à la *Loi sur le divorce* (Canada) ne sont pas tenues de signifier et de déposer des états financiers si elles déposent un consentement dans lequel elles conviennent, selon le cas :

- a) de ne pas signifier et déposer d'états financiers;
- b) d'un montant précisé d'aliments ou du non-versement d'aliments.

AUCUN ÉTAT FINANCIER REQUIS S'IL Y A CONSENTEMENT — MODIFICATION DES ALIMENTS

(9) Les parties à une motion sur consentement en modification des aliments ne sont pas tenues de signifier et de déposer des états financiers si elles déposent un consentement dans lequel elles conviennent de ne pas le faire.

DÉPÔT DES DOCUMENTS REFUSÉ SANS ÉTAT FINANCIER

(10) Le greffier ne doit pas accepter le dépôt d'une requête, d'une défense, d'une réponse, d'un avis de motion ou d'un affidavit en réponse à une motion sans état financier si les présentes règles exigent que le document soit déposé avec un état financier.

RENSEIGNEMENTS FINANCIERS SUPPLÉMENTAIRES

(11) Si une partie croit que l'état financier d'une autre partie ne contient pas suffisamment de renseignements pour permettre de comprendre pleinement la situation financière de cette autre partie :

- a) d'une part, la partie demande à l'autre partie de communiquer les renseignements supplémentaires nécessaires;
- b) d'autre part, si l'autre partie ne le fait pas dans les sept jours, le tribunal peut, sur motion, lui ordonner de communiquer les renseignements ou de signifier et de déposer un nouvel état financier.

MISE À JOUR DE L'ÉTAT FINANCIER

(12) Au moins sept jours avant une conférence relative à la cause, une motion visant à obtenir une ordonnance temporaire, une conférence en vue d'un règlement amiable ou un procès, chaque partie met à jour les renseignements fournis dans tout état financier datant de plus de 30 jours en signifiant et déposant :

- a) soit un nouvel état financier;
- b) soit un affidavit indiquant que les renseignements fournis dans le dernier état n'ont pas changé et sont toujours exacts.

INTERROGATOIRE SUR L'ÉTAT FINANCIER

(13) Une partie peut être interrogée en vertu de la règle 20 sur un état financier fourni aux termes de la présente règle, mais seulement après qu'une demande de renseignements a été présentée aux termes de l'alinéa (11) a).

ÉTAT DES BIENS FAMILIAUX NETS

(14) Chaque partie à une demande portant sur des biens prévue à la partie I de la *Loi sur le droit de la famille* signifie et dépose un état des biens familiaux nets (formule 13B) ou, si la partie en a déjà signifié un, un affidavit indiquant que les renseignements qui y figurent n'ont pas changé et sont toujours exacts :

- (a) not less than seven days before a settlement conference; and
- (b) not more than 30 days and not less than seven days before a trial.

CORRECTING AND UPDATING STATEMENT OR ANSWER

(15) As soon as a party discovers that information in the party's financial statement or net family property statement or in a response the party gave under this rule is incorrect or incomplete, or that there has been a material change in the information provided, the party shall immediately serve on every other party to the claim and file the correct information or a new statement containing the correct information, together with any documents substantiating it.

ORDER TO FILE STATEMENT

(16) If a party has not served and filed a financial statement or net family property statement or information as required by this rule or an Act, the court may, on motion without notice, order the party to serve and file the document or information and, if it makes that order, shall also order the party to pay costs.

FAILURE TO OBEY ORDER TO FILE STATEMENT OR GIVE INFORMATION

(17) If a party does not obey an order to serve and file a financial statement or net family property statement or to give information as this rule requires, the court may,

- (a) dismiss the party's case;
- (b) strike out any document filed by the party;
- (c) make a contempt order against the party;
- (d) order that any information that should have appeared on the statement may not be used by the party at the motion or trial;
- (e) make any other appropriate order.

RULE 14: MOTIONS**WHEN TO MAKE MOTION**

14. (1) A person who wants any of the following may make a motion:

- 1. A temporary order for a claim made in an application.
- 2. Directions on how to carry on the case.
- 3. A change in an order or agreement.

WHO MAY MAKE MOTION

(2) A motion may be made by a party to the case or by a person with an interest in the case.

PARTIES TO MOTION

(3) A person who is affected by a motion is also a party, for purposes of the motion only, but this does not apply to a child affected by a motion relating to custody, access, child protection, adoption or child support.

NO MOTION BEFORE CASE CONFERENCE

(4) Before a case conference has been held, no notice of motion or supporting evidence may be served and no motion may be heard, except in a situation of urgency or hardship or for some other reason in the interest of justice.

- a) au moins sept jours avant la tenue d'une conférence en vue d'un règlement amiable;
- b) au plus 30 jours mais au moins sept jours avant la tenue d'un procès.

CORRECTION ET MISE À JOUR DE L'ÉTAT OU DE LA DÉFENSE

(15) Dès qu'une partie se rend compte que les renseignements qui figurent dans son état financier ou son état des biens familiaux nets ou dans une réponse qu'elle donne aux termes de la présente règle sont inexacts ou incomplets ou qu'il s'est produit un changement important en ce qui concerne les renseignements fournis, elle signifie immédiatement à chacune des autres parties à la demande les renseignements exacts ou un nouvel état qui donne les renseignements exacts, ainsi que tous documents à l'appui, et les dépose.

ORDONNANCE DE DÉPÔT D'UN ÉTAT

(16) Si une partie n'a pas signifié ni déposé l'état financier, l'état des biens familiaux nets ou les renseignements qu'exige la présente règle ou une loi, le tribunal peut, sur motion présentée sans préavis, lui ordonner de signifier et de déposer le document ou les renseignements et, en pareil cas, lui ordonner également de payer les dépens.

INOBSERVATION D'UNE ORDONNANCE DE DÉPÔT D'UN ÉTAT OU DE COMMUNICATION DE RENSEIGNEMENTS

(17) Si une partie n'observe pas une ordonnance lui enjoignant de signifier et de déposer un état financier ou un état des biens familiaux nets ou de communiquer des renseignements comme l'exige la présente règle, le tribunal peut :

- a) rejeter la cause de la partie;
- b) radier tout document déposé par la partie;
- c) rendre une ordonnance pour outrage à l'encontre de la partie;
- d) ordonner que la partie ne puisse se servir des renseignements qui auraient dû figurer dans l'état lors de l'audition de la motion ou lors du procès;
- e) rendre toute autre ordonnance appropriée.

RÈGLE 14 : MOTIONS**CAS OÙ UNE MOTION PEUT ÊTRE PRÉSENTÉE**

14. (1) La personne qui désire obtenir l'une ou l'autre des mesures suivantes peut présenter une motion en ce sens :

- 1. Une ordonnance temporaire à l'égard d'une demande présentée dans une requête.
- 2. Des directives sur la façon de conduire la cause.
- 3. La modification d'une ordonnance.

PERSONNES QUI PEUVENT PRÉSENTER UNE MOTION

(2) Une motion peut être présentée par une partie à la cause ou par une personne qui a un intérêt dans celle-ci.

PARTIES À LA MOTION

(3) La personne que concerne une motion, mais aux fins de celle-ci uniquement, est également partie à la motion, mais non l'enfant que concerne une motion portant sur la garde, le droit de visite, la protection, l'adoption ou les aliments.

MOTION INTERDITE AVANT LA TENUE D'UNE CONFÉRENCE RELATIVE À LA CAUSE

(4) Avant la tenue d'une conférence relative à la cause, aucun avis de motion ou élément de preuve à l'appui d'une motion ne peut être signifié et aucune motion ne peut être entendue, sauf en cas de situation d'urgence ou de graves difficultés ou pour un autre motif dans l'intérêt de la justice.

MOTION TO CHANGE FINAL ORDER

(5) Despite subrule (4), a party may serve a notice of motion and supporting evidence for an order to change a final order or agreement under rule 15 before a case conference has been held, but the motion may not be heard before a case conference has been held.

OTHER MOTIONS

- (6) Subrule (4) does not apply to a motion,
 - (a) to change a temporary order under subrule 15 (14) (fraud, mistake, lack of notice);
 - (b) for a contempt order under rule 31 or an order striking out a document under subrule (22);
 - (c) for summary judgment under rule 16;
 - (d) to require the Director of the Family Responsibility Office to refrain from suspending a licence; or
 - (e) to limit or suspend a support deduction order.

MOTION INVOLVING COMPLICATED MATTERS

(7) The judge who hears a motion involving complicated matters may,

- (a) order that the motion or any part of it be heard as a trial; and
- (b) give any directions that are necessary.

MOTION BY TELEPHONE OR VIDEO CONFERENCE

(8) A party who wants a motion to be heard by telephone or video conference shall,

- (a) obtain an appointment from the clerk for the hearing of the motion;
- (b) make the necessary arrangements;
- (c) serve a notice of the appointment and arrangements on all other parties, and file it; and
- (d) participate in the motion as the notice specifies.

DOCUMENTS FOR A MOTION

- (9) A motion, whether made with or without notice,
 - (a) requires a notice of motion (Form 14) and an affidavit (Form 14A); and
 - (b) may be supported by additional evidence.

PROCEDURAL, UNCOMPLICATED OR UNOPPOSED MATTERS—MOTION FORM

(10) If a motion is limited to procedural, uncomplicated or unopposed matters, the party making the motion may use a motion form (Form 14B) instead of a notice of motion and affidavit.

MOTION WITH NOTICE

- (11) A party making a motion with notice shall,

MOTION EN MODIFICATION D'UNE ORDONNANCE DÉFINITIVE

(5) Malgré le paragraphe (4), une partie peut signifier un avis de motion et les preuves à l'appui en vue d'obtenir la modification d'une ordonnance définitive ou d'un accord visé à la règle 15 avant la tenue d'une conférence relative à la cause, mais la motion ne peut être entendue avant la tenue de la conférence.

AUTRES MOTIONS

(6) Le paragraphe (4) ne s'applique pas à l'une ou l'autre des motions suivantes :

- a) une motion en modification d'une ordonnance temporaire, visée au paragraphe 15 (14) (fraude, erreur, absence de préavis);
- b) une motion visant à obtenir une ordonnance pour outrage, visée à la règle 31, ou une ordonnance radiant un document, visée au paragraphe (22);
- c) une motion visant à obtenir un jugement sommaire, visée à la règle 16;
- d) une motion en vue d'exiger du directeur du Bureau des obligations familiales qu'il ne suspende pas un permis;
- e) une motion visant à limiter ou à suspendre une ordonnance de retenue des aliments.

MOTION COMPLEXE

(7) Le juge qui entend une motion qui soulève des questions compliquées peut :

- a) d'une part, ordonner que tout ou partie de la motion soit entendu comme un procès;
- b) d'autre part, donner toutes directives nécessaires.

AUDITION D'UNE MOTION PAR CONFÉRENCE TÉLÉPHONIQUE OU VIDÉOCONFÉRENCE

(8) La partie qui désire qu'une motion soit entendue par conférence téléphonique ou vidéoconférence fait ce qui suit :

- a) elle obtient du greffier un rendez-vous pour l'audition de la motion;
- b) elle prend les dispositions nécessaires;
- c) elle signifie aux autres parties un avis du rendez-vous et des dispositions qui ont été prises et le dépose;
- d) elle participe à l'audition de la motion de la façon que précise l'avis.

DOCUMENTS AUX FINS D'UNE MOTION

- (9) Qu'elle soit présentée avec ou sans préavis, toute motion :
 - a) d'une part, exige un avis de motion (formule 14) et un affidavit (formule 14A);
 - b) d'autre part, peut être appuyée de preuves additionnelles.

QUESTIONS DE PROCÉDURE, QUESTIONS NON COMPLIQUÉES OU QUESTIONS NON CONTESTÉES — FORMULE DE MOTION

(10) Si une motion ne porte que sur des questions de procédure ou des questions non compliquées ou non contestées, la partie qui la présente peut se servir d'une formule de motion (formule 14B) au lieu d'un avis de motion et d'un affidavit.

MOTION PRÉSENTÉE AVEC PRÉAVIS

- (11) La partie qui présente une motion avec préavis fait ce qui suit :

- (a) serve the documents mentioned in subrule (9) or (10) on all other parties, not later than four days before the motion date;
- (b) file the documents as soon as possible after service, but not later than two days before the motion date; and
- (c) file a confirmation (Form 14C) not later than 2 p.m. on the day before the motion date.

MOTION WITHOUT NOTICE

- (12) A motion may be made without notice if,
 - (a) the nature or circumstances of the motion make notice unnecessary or not reasonably possible;
 - (b) there is an immediate danger of a child's removal from Ontario, and the delay involved in serving a notice of motion would probably have serious consequences;
 - (c) there is an immediate danger to the health or safety of a child or of the party making the motion, and the delay involved in serving a notice of motion would probably have serious consequences; or
 - (d) service of a notice of motion would probably have serious consequences.

FILING FOR MOTION WITHOUT NOTICE

- (13) The documents for use on a motion without notice shall be filed on or before the motion date, unless the court orders otherwise.

ORDER MADE ON MOTION WITHOUT NOTICE

- (14) An order made on motion without notice (Form 14D) shall require the matter to come back to the court and, if possible, to the same judge, within 14 days or on a date chosen by the court.

SERVICE OF ORDER MADE WITHOUT NOTICE

- (15) An order made on motion without notice shall be served immediately on all parties affected, together with all documents used on the motion, unless the court orders otherwise.

WITHDRAWING A MOTION

- (16) A party making a motion may withdraw it in the same way as an application or answer is withdrawn under rule 12.

EVIDENCE ON A MOTION

- (17) Evidence on a motion may be given by any one or more of the following methods:

- 1. An affidavit or other admissible evidence in writing.
- 2. A transcript of the questions and answers on a questioning under rule 20.
- 3. With the court's permission, oral evidence.

AFFIDAVIT BASED ON PERSONAL KNOWLEDGE

- (18) An affidavit for use on a motion shall, as much as possible, contain only information within the personal knowledge of the person signing the affidavit.

AFFIDAVIT BASED ON OTHER INFORMATION

- (19) The affidavit may also contain information that the person learned from someone else, but only if,

- a) elle signifie les documents mentionnés au paragraphe (9) ou (10) aux autres parties, au plus tard quatre jours avant la date d'audition de la motion;
- b) elle dépose les documents dès que possible après la signification, mais au plus tard deux jours avant la date d'audition de la motion;
- c) elle dépose une confirmation (formule 14C) au plus tard à 14 heures le jour précédant la date d'audition de la motion.

MOTION PRÉSENTÉE SANS PRÉAVIS

- (12) Une motion peut être présentée sans préavis si, selon le cas :
 - a) la nature ou les circonstances de la motion rendent le préavis inutile ou impossible à donner dans des conditions raisonnables;
 - b) il existe un risque immédiat qu'un enfant soit retiré de l'Ontario et le retard à agir qu'entraînerait la signification d'un avis de motion aurait probablement de graves conséquences;
 - c) il existe un danger immédiat pour la santé ou la sécurité d'un enfant ou de la partie qui présente la motion, et le retard à agir qu'entraînerait la signification d'un avis de motion aurait probablement de graves conséquences;
 - d) la signification d'un avis de motion aurait probablement de graves conséquences.

DÉPÔT DES DOCUMENTS AUX FINS D'UNE MOTION PRÉSENTÉE SANS PRÉAVIS

- (13) Les documents à utiliser dans le cadre d'une motion présentée sans préavis sont déposés au plus tard à la date d'audition de la motion, sauf ordonnance contraire du tribunal.

ORDONNANCE RENDUE SUR MOTION PRÉSENTÉE SANS PRÉAVIS

- (14) Toute ordonnance rendue sur motion présentée sans préavis (formule 14D) exige que la question soit de nouveau portée devant le tribunal et, si possible, le même juge dans les 14 jours qui suivent ou à la date que fixe le tribunal.

SIGNIFICATION DE L'ORDONNANCE RENDUE SUR MOTION PRÉSENTÉE SANS PRÉAVIS

- (15) Sauf ordonnance contraire du tribunal, l'ordonnance rendue sur motion présentée sans préavis, accompagnée des documents utilisés dans le cadre de la motion, est signifiée immédiatement à toutes les parties intéressées.

RETRAIT D'UNE MOTION

- (16) La partie qui présente une motion peut la retirer de la même manière qu'une requête ou une défense est retirée aux termes de la règle 12.

PREUVES DANS LE CADRE D'UNE MOTION

- (17) Les preuves à utiliser dans le cadre d'une motion peuvent être fournies par un ou plusieurs des moyens suivants :

- 1. Un affidavit ou toute autre preuve admissible par écrit.
- 2. Une transcription des questions posées et des réponses fournies lors d'un interrogatoire mené aux termes de la règle 20.
- 3. Avec la permission du tribunal, des témoignages oraux.

AFFIDAVIT FONDÉ SUR LA CONNAISSANCE DIRECTE

- (18) L'affidavit à utiliser dans le cadre d'une motion ne contient, autant que possible, que des renseignements dont la personne qui le signe a une connaissance directe.

AFFIDAVIT FONDÉ SUR D'AUTRES RENSEIGNEMENTS

- (19) L'affidavit peut également contenir des renseignements que la personne a obtenus d'une autre personne, mais uniquement si :

- (a) the source of the information is identified by name and the affidavit states that the person signing it believes the information is true; and
- (b) in addition, if the motion is a contempt motion under rule 31, the information is not likely to be disputed.

RESTRICTIONS ON EVIDENCE

(20) The following restrictions apply to evidence for use on a motion, unless the court orders otherwise:

- 1. The party making the motion shall serve all the evidence in support of the motion with the notice of motion.
- 2. The party responding to the motion shall then serve all the evidence in response.
- 3. The party making the motion may then serve evidence replying to any new matters raised by the evidence served by the party responding to the motion.
- 4. No other evidence may be used.

NO MOTIONS WITHOUT COURT'S PERMISSION

(21) If a party tries to delay the case or add to its costs or in any other way to abuse the court's process by making numerous motions without merit, the court may order the party not to make any other motions in the case without the court's permission.

MOTION TO STRIKE OUT DOCUMENT

(22) The court may, on motion, strike out all or part of any document that may delay or make it difficult to have a fair trial or that is inflammatory, a waste of time, a nuisance or an abuse of the court process.

FAILURE TO OBEY ORDER MADE ON MOTION

(23) A party who does not obey an order that was made on motion is not entitled to any further order from the court unless the court orders that this subrule does not apply, and the court may on motion, in addition to any other remedy allowed under these rules,

- (a) dismiss the party's case or strike out the party's answer or any other document filed by the party;
- (b) postpone the trial;
- (c) make any other order that is appropriate, including an order for costs.

RULE 15: MOTIONS TO CHANGE AN ORDER OR AGREEMENT

SPECIAL SERVICE, MINIMUM NOTICE PERIOD—MOTION TO CHANGE FINAL ORDER OR AGREEMENT

15. (1) Notice of a motion to change a final order or agreement and the supporting evidence shall be served by special service (subrule 6 (3)), and not by regular service,

- (a) not later than 30 days before the motion is to be heard, if the party to be served resides in Canada or the United States of America;
- (b) not later than 60 days before the motion is to be heard, if the party to be served resides elsewhere.

- a) la source des renseignements y est nommée et l'affidavit précise que la personne qui le signe croit que les renseignements sont exacts;
- b) de plus, si la motion est une motion pour outrage visée à la règle 31, les renseignements ne sont pas susceptibles d'être contestés.

RESTRICTIONS RELATIVES À LA PREUVE

(20) Sauf ordonnance contraire du tribunal, les restrictions suivantes s'appliquent aux preuves utilisées dans le cadre d'une motion :

- 1. La partie qui présente la motion signifie toutes les preuves à l'appui avec l'avis de motion.
- 2. La partie qui répond à la motion signifie ensuite toutes les preuves à l'appui de sa réponse.
- 3. La partie qui présente la motion peut ensuite signifier des preuves en réponse à toute nouvelle question que soulèvent les preuves significées par la partie qui répond à la motion.
- 4. Aucune autre preuve ne peut être utilisée.

INTERDICTION DE PRÉSENTER DES MOTIONS SANS LA PERMISSION DU TRIBUNAL

(21) Si une partie essaie de retarder la cause, d'en augmenter les frais ou de recourir abusivement au tribunal d'une autre façon en présentant de nombreuses motions sans fondement, le tribunal peut lui ordonner de ne pas présenter d'autres motions dans le cadre de la cause sans sa permission.

MOTION EN RADIATION D'UN DOCUMENT

(22) Le tribunal peut, sur motion, radier tout ou partie d'un document susceptible de retarder ou de rendre difficile la tenue d'un procès équitable ou d'un document qui est incendiaire, est présenté dans l'intention de causer des embêtements ou constitue une perte de temps ou un recours abusif au tribunal.

INOBSERVATION D'UNE ORDONNANCE RENDUE SUR MOTION

(23) La partie qui n'observe pas une ordonnance rendue sur motion n'a droit à aucune autre ordonnance du tribunal, à moins que celui-ci n'ordonne que le présent paragraphe ne s'applique pas, et le tribunal peut, sur motion, en plus de toute autre mesure de redressement que permettent les présentes règles :

- a) rejeter la cause de la partie ou radier sa défense ou tout autre document qu'elle a déposé;
- b) reporter le procès;
- c) rendre toute autre ordonnance appropriée, y compris une ordonnance d'adjudication des dépens.

RÈGLE 15 : MOTIONS EN MODIFICATION D'UNE ORDONNANCE OU D'UN ACCORD

SIGNIFICATION SPÉCIALE — MOTION EN MODIFICATION D'UNE ORDONNANCE DÉFINITIVE OU D'UN ACCORD

15. (1) L'avis d'une motion en modification d'une ordonnance définitive ou d'un accord et les preuves à l'appui sont significés par voie de signification spéciale (paragraphe 6 (3)) et non par voie de signification ordinaire :

- a) au plus tard 30 jours avant l'audition de la motion, si la partie qui doit recevoir signification réside au Canada ou aux États-Unis d'Amérique;
- b) au plus tard 60 jours avant l'audition de la motion, si la partie réside ailleurs.

REGULAR SERVICE ON OFFICIALS, AGENCIES, ETC.

(2) Despite subrule (1), the notice of motion and evidence may be served on the persons mentioned in subrule 8 (6) (officials, agencies, etc.) by regular service.

PLACE FOR MOTION TO CHANGE ORDER OR AGREEMENT

(3) Rule 5 (where a case starts) applies to a motion to change an order or agreement as if the motion were a new case.

CHANGE OF SUPPORT—SERVICE ON ASSIGNEE OF SUPPORT

(4) In a motion to change a support order or agreement that has been assigned to a person or agency, as the *Divorce Act* (Canada) and the *Family Law Act* permit, the parties shall serve their documents on the assignee as if the assignee were also a party.

ASSIGNEE MAY BECOME PARTY

(5) On serving and filing a notice claiming a financial interest in the motion, the assignee becomes a respondent to the extent of the financial interest.

SANCTIONS IF ASSIGNEE NOT SERVED

- (6) If the assignee is not served as subrule (4) requires,
 - (a) the court may at any time, on motion by the assignee with notice to the other parties, set aside the changed order to the extent that it affects the assignee's financial interest;
 - (b) the party who asked for the change has the burden of proving that the changed order should not be set aside; and
 - (c) if the changed order is set aside, the assignee is entitled to full recovery of its costs of the motion to set aside, unless the court orders otherwise.

CONTENTS OF AFFIDAVIT

(7) An affidavit for use on a motion to change an order or agreement shall set out,

- (a) the place where the parties and the children ordinarily reside;
- (b) the name and birth date of each child to whom a proposed change relates;
- (c) whether a party has married or begun living with another person;
- (d) details of current custody and access arrangements;
- (e) details of current support arrangements, including details of any unpaid support;
- (f) details of the change asked for and of the changed circumstances that are grounds for a change in the order or agreement;
- (g) details of any efforts made to mediate or settle the issues and of any assessment report on custody or access;

SIGNIFICATION ORDINAIRE AUX FONCTIONNAIRES PUBLICS, ORGANISMES ET AUTRES PERSONNES

(2) Malgré le paragraphe (1), l'avis de motion et les preuves peuvent être signifiés aux personnes mentionnées au paragraphe 8 (6) (fonctionnaires publics, organismes et autres personnes) par voie de signification ordinaire.

LIEU D'AUDITION DE LA MOTION EN MODIFICATION D'UNE ORDONNANCE OU D'UN ACCORD

(3) La règle 5 (lieu où une cause est introduite) s'applique à une motion en modification d'une ordonnance ou d'un accord comme si la motion était une nouvelle cause.

MODIFICATION D'UNE ORDONNANCE ALIMENTAIRE — SIGNIFICATION AU CESSIONNAIRE

(4) Dans une motion en modification d'une ordonnance alimentaire ou d'un accord relatif aux aliments qui a été cédé à une personne ou à un organisme, comme le permettent la *Loi sur le divorce* (Canada) et la *Loi sur le droit de la famille*, les parties signifient leurs documents au cessionnaire comme s'il était également une partie.

CESSIONNAIRE COMME PARTIE

(5) Le cessionnaire qui signifie et dépose un avis dans lequel il revendique un intérêt financier dans la motion devient un intimé jusqu'à concurrence de son intérêt.

SANCTIONS EN L'ABSENCE DE SIGNIFICATION AU CESSIONNAIRE

(6) Si le cessionnaire ne reçoit pas signification comme l'exige le paragraphe (4) :

- a) le tribunal peut, sur motion du cessionnaire présentée avec préavis aux autres parties, annuler l'ordonnance modifiée dans la mesure où elle a une incidence sur l'intérêt financier du cessionnaire;
- b) il incombe à la partie qui a demandé la modification de prouver que l'ordonnance modifiée ne devrait pas être annulée;
- c) en cas d'annulation de l'ordonnance modifiée, le cessionnaire a droit, sauf ordonnance contraire du tribunal, au recouvrement intégral des frais qu'il a engagés relativement à la motion en annulation.

CONTENU DE L'AFFIDAVIT

(7) L'affidavit à utiliser dans le cadre d'une motion en modification d'une ordonnance ou d'un accord indique ce qui suit :

- a) le lieu où résident ordinairement les parties et les enfants;
- b) les nom et date de naissance de chaque enfant auquel se rapporte une modification demandée;
- c) la question de savoir si la partie est mariée ou a commencé à vivre avec une autre personne;
- d) des précisions au sujet des arrangements actuels quant à la garde et au droit de visite;
- e) des précisions au sujet des arrangements actuels quant aux aliments, y compris des précisions au sujet des aliments impayés;
- f) des précisions au sujet de la modification demandée et des nouvelles circonstances qui constituent un motif de modification de l'ordonnance ou de l'accord;
- g) des précisions au sujet des efforts qui ont été faits pour régler, par voie de médiation ou de règlement amiable, les questions en litige et au sujet des rapports d'évaluation éventuels sur la garde ou le droit de visite;

- (h) in a motion to change a support order or agreement, whether the support was assigned and any details of the assignment known to the party asking for the change;
- (i) in a motion to change a child support order or agreement, income and financial information required by section 21 of the applicable child support guidelines; and
- (j) in a motion to change a child support order or agreement to an amount different from the amount in the table of the applicable child support guidelines, evidence to satisfy the court that it should make the order asked for.

EXHIBIT TO AFFIDAVIT

(8) In addition, a copy of any existing order or agreement that deals with custody, access or support shall be attached as an exhibit to the affidavit, unless a copy is already in the continuing record, and then the affidavit shall indicate its location in the record.

CHILD SUPPORT CHANGE ON CONSENT

(9) Subrule (10) applies instead of subrule (7) if the parties have agreed to an order,

- (a) that changes only a child support order or agreement; and
- (b) the only terms of which are one or more of the following:
 1. Payment of child support, whether in accordance with the applicable child support guidelines or not, or ending child support.
 2. Suspension, reduction or cancellation of unpaid child support.
 3. Payment of unpaid child support in accordance with a payment schedule.
 4. Payment of costs.

CHILD SUPPORT CHANGE ON CONSENT—MATERIAL TO BE FILED

(10) In a case described in subrule (9), instead of serving and filing a notice of motion and the affidavit described in subrule (7), the parties shall file,

- (a) a change information form (Form 15) with all required attachments;
- (b) a consent (Form 15A);
- (c) five copies of a draft order;
- (d) a stamped envelope addressed to each party;
- (e) a support deduction order information form prescribed under the *Family Responsibility and Support Arrears Enforcement Act, 1996*; and
- (f) a draft support deduction order.

CONSENT MOTION—PARTIES NOT TO COME TO COURT

- (11) If the parties have filed the material described in subrule (10),

- h) dans une motion en modification d'une ordonnance alimentaire ou d'un accord relatif aux aliments, la question de savoir si les aliments ont été cédés et tous renseignements au sujet de la cession dont a connaissance la partie qui demande la modification;
- i) dans une motion en modification d'une ordonnance alimentaire ou d'un accord relatif aux aliments à l'égard d'un enfant, les renseignements sur le revenu et la situation financière exigés par l'article 21 des lignes directrices applicables sur les aliments pour les enfants;
- j) dans une motion en modification d'une ordonnance alimentaire ou d'un accord relatif aux aliments à l'égard d'un enfant pour obtenir une somme différente de celle qui figure dans la table des lignes directrices applicables sur les aliments pour les enfants, des preuves de nature à convaincre le tribunal qu'il devrait rendre l'ordonnance demandée.

PIÈCE JOINTE À L'AFFIDAVIT

(8) De plus, une copie de toute ordonnance ou de tout accord existants portant sur la garde, le droit de visite ou les aliments est jointe à l'affidavit en tant que pièce, sauf s'il y en a déjà une dans le dossier continu, auquel cas l'affidavit indique à quel endroit dans celui-ci.

MODIFICATION SUR CONSENTEMENT DES ALIMENTS POUR LES ENFANTS

(9) Le paragraphe (10) s'applique au lieu du paragraphe (7) si les parties ont convenu d'une ordonnance :

- a) qui ne fait que modifier une ordonnance alimentaire ou un accord relatif aux aliments à l'égard d'un enfant;
- b) dont les seules conditions sont un ou plusieurs des éléments suivants :
 1. Le versement d'aliments, qu'il soit effectué ou non conformément aux lignes directrices applicables sur les aliments pour les enfants, ou la cessation de tels aliments.
 2. La suspension, la réduction ou l'annulation des aliments impayés pour les enfants.
 3. Le versement des aliments impayés pour les enfants conformément à un calendrier préétabli.
 4. Le paiement des dépens.

MODIFICATION SUR CONSENTEMENT DES ALIMENTS POUR LES ENFANTS — DOCUMENTS À DÉPOSER

(10) Dans les cas dont il est question au paragraphe (9), au lieu de signifier et de déposer un avis de motion et l'affidavit mentionné au paragraphe (7), les parties déposent :

- a) une formule de renseignements visant une modification (formule 15) avec toutes les pièces qui doivent y être jointes;
- b) un consentement (formule 15A);
- c) cinq copies d'un projet d'ordonnance;
- d) une enveloppe affranchie adressée à chaque partie;
- e) une formule de renseignements sur l'ordonnance de retenue des aliments prescrite aux termes de la *Loi de 1996 sur les obligations familiales et l'exécution des arriérés d'aliments*;
- f) un projet d'ordonnance de retenue des aliments.

MOTION SUR CONSENTEMENT — ABSENCE OBLIGATOIRE DES PARTIES AU TRIBUNAL

- (11) Si les parties ont déposé les documents mentionnés au paragraphe (10) :

- (a) they shall not come to court, but the clerk shall present the material to a judge; and
- (b) the judge may make the order asked for, or require one or both parties to file further material or come to court.

CONTESTED CHILD SUPPORT CHANGE—MATERIAL TO BE SERVED

(12) If a motion to change a child support order or agreement is not proceeding with the other party's consent,

- (a) the party asking for the change may serve and file a change information form (Form 15) with all required attachments, instead of an affidavit;
- (b) the party responding to the motion shall serve and file an affidavit that sets out any disagreement with the evidence of the party asking for the change; and
- (c) if a party claims that an order should not be made in accordance with the tables in the applicable child support guidelines, the support recipient and the support payor shall each serve and file an affidavit containing the evidence required by the following sections of the applicable child support guidelines, or the evidence that is otherwise necessary to satisfy the court that it should make the order asked for:

Section 4 (income over \$150,000)

Section 5 (step-parent)

Section 7 (special expenses)

Section 8 (split custody)

Section 9 (shared custody)

Section 10 (undue hardship)

Section 21 (income and financial information)

POWERS OF COURT

(13) If the court is of the opinion that a motion, whether made on consent or not, can not be properly dealt with because of the material filed, because of the matters in dispute or for any other reason, the court may give directions, including directions for a trial.

CHANGING ORDER—FRAUD, MISTAKE, LACK OF NOTICE

- (14) The court may, on motion, change an order that,
 - (a) was obtained by fraud;
 - (b) contains a mistake;
 - (c) needs to be changed to deal with a matter that was before the court but that it did not decide;
 - (d) was made on a motion without notice; or
 - (e) was made on a motion with notice, if through accident or inadequate notice an affected party did not appear on the motion.

STATUS REVIEW APPLICATIONS

- (15) This rule does not apply to status review applications.

- a) d'une part, elles ne doivent pas se présenter au tribunal, le greffier devant se charger de soumettre les documents au juge;
- b) d'autre part, le juge peut rendre l'ordonnance demandée ou exiger que l'une des parties ou les deux déposent d'autres documents ou se présentent au tribunal.

MODIFICATION CONTESTÉE DES ALIMENTS POUR LES ENFANTS — DOCUMENTS À SIGNIFIER

(12) Si une motion en modification d'une ordonnance alimentaire ou d'un accord relatif aux aliments à l'égard d'un enfant n'est pas présentée avec le consentement de l'autre partie :

- a) la partie qui demande la modification peut signifier et déposer une formule de renseignements visant une modification (formule 15), avec toutes les pièces qui doivent y être jointes, au lieu d'un affidavit;
- b) la partie qui présente une défense à la motion signifie et dépose un affidavit dans lequel elle indique ce en quoi elle n'est pas d'accord avec la preuve de la partie qui demande la modification;
- c) si une partie prétend qu'une ordonnance ne devrait pas être rendue conformément aux tables des lignes directrices applicables sur les aliments pour les enfants, le bénéficiaire et le payeur des aliments signifient et déposent chacun un affidavit comprenant les preuves exigées par les articles suivants des lignes directrices ou les preuves qui sont nécessaires par ailleurs pour convaincre le tribunal qu'il ne devrait pas rendre l'ordonnance demandée :

Article 4 (revenu supérieur à 150 000 \$)

Article 5 (personne tenant lieu de père ou de mère)

Article 7 (dépenses spéciales)

Article 8 (garde exclusive d'un ou de plusieurs enfants)

Article 9 (garde partagée)

Article 10 (difficultés excessives)

Article 21 (renseignements sur le revenu et la situation financière)

POUVOIRS DU TRIBUNAL

(13) S'il est d'avis qu'une motion, qu'elle soit présentée ou non sur consentement, ne peut être traitée adéquatement à cause des documents déposés, des questions en litige ou pour une autre raison, le tribunal peut donner des directives, y compris des directives pour la tenue d'un procès.

MODIFICATION DE L'ORDONNANCE — FRAUDE, ERREUR, ABSENCE DE PRÉAVIS

(14) Le tribunal peut, sur motion, modifier une ordonnance qui, selon le cas :

- a) a été obtenue par fraude;
- b) contient une erreur;
- c) a besoin d'être modifiée pour régler une question qui a été portée devant le tribunal, mais qu'il n'a pas tranchée;
- d) a été rendue sur motion présentée sans préavis;
- e) a été rendue sur motion présentée avec préavis si une partie concernée ne s'est pas présentée à l'audition de la motion pour cause d'accident ou d'avis insuffisant.

REQUÊTES EN RÉVISION DE STATUT

(15) La présente règle ne s'applique pas aux requêtes en révision de statut.

RULE 16: SUMMARY JUDGMENT**WHEN AVAILABLE**

16. (1) After the respondent has served an answer or after the time for serving an answer has expired, a party may make a motion for summary judgment for a final order without a trial on all or part of any claim made or any defence presented in the case.

AVAILABLE IN ANY CASE EXCEPT DIVORCE

(2) A motion for summary judgment under subrule (1) may be made in any case (including a child protection case) that does not include a divorce claim.

DIVORCE CLAIM

(3) In a case that includes a divorce claim, the procedure provided in rule 36 (divorce) for an uncontested divorce may be used, or the divorce claim may be split from the rest of the case under subrule 12 (6).

EVIDENCE REQUIRED

(4) The party making the motion shall serve an affidavit or other evidence that sets out specific facts showing that there is no genuine issue requiring a trial.

EVIDENCE NOT FROM PERSONAL KNOWLEDGE

(5) If a party's evidence is not from a person who has personal knowledge of the facts in dispute, the court may draw conclusions unfavourable to the party.

NO ISSUE FOR TRIAL

(6) If there is no genuine issue requiring a trial of a claim or defence, the court shall make a final order accordingly.

ONLY ISSUE AMOUNT OF ENTITLEMENT

(7) If the only genuine issue is the amount to which a party is entitled, the court shall order a trial to decide the amount.

ONLY ISSUE QUESTION OF LAW

(8) If the only genuine issue is a question of law, the court shall decide the issue and make a final order accordingly.

ORDER GIVING DIRECTIONS

(9) If the court does not make a final order, or makes an order for a trial of an issue, the court may also,

- (a) specify what facts are not in dispute, state the issues and give directions about how and when the case will go to trial (in which case the order governs how the trial proceeds, unless the trial judge orders otherwise to prevent injustice);
- (b) give directions; and
- (c) impose conditions (for example, require a party to pay money into court as security, or limit a party's pretrial disclosure).

RÈGLE 16 : JUGEMENT SOMMAIRE**APPLICABILITÉ**

16. (1) Après que l'intimé a signifié une défense ou après l'expiration du délai prévu pour le faire, une partie peut présenter une motion en jugement sommaire en vue d'obtenir une ordonnance définitive sans procès sur tout ou partie d'une demande ou d'une défense présentée dans la cause.

APPLICABILITÉ DANS TOUTES LES CAUSES À L'EXCEPTION DU DIVORCE

(2) La motion en jugement sommaire prévue au paragraphe (1) peut être présentée dans toute cause (y compris une cause portant sur la protection d'un enfant) qui ne comprend pas une demande de divorce.

DEMANDE DE DIVORCE

(3) Dans une cause qui comprend une demande de divorce, la procédure prévue à la règle 36 (divorce) pour un divorce non contesté peut être suivie ou la demande de divorce peut être séparée des autres questions en litige dans la cause en vertu du paragraphe 12 (6).

PREUVES EXIGÉES

(4) La partie qui présente la motion signifie un affidavit ou d'autres preuves exposant des faits précis qui montrent qu'aucune question en litige véritable n'exige la tenue d'un procès.

PREUVE QUI NE PROVIENT PAS DE LA CONNAISSANCE DIRECTE

(5) Si la preuve d'une partie ne provient pas d'une personne qui a une connaissance directe des faits en litige, le tribunal peut tirer des conclusions qui sont défavorables à la partie.

ABSENCE DE QUESTION EN LITIGE VÉRITABLE

(6) Si aucune question en litige véritable n'exige la tenue d'un procès sur une demande ou une défense, le tribunal rend une ordonnance définitive en conséquence.

CAS OÙ LA SEULE QUESTION EN LITIGE CONCERNE LA SOMME À LAQUELLE A DROIT LA PARTIE

(7) Si la seule question en litige véritable concerne la somme à laquelle la partie a droit, le tribunal ordonne la tenue d'un procès pour en décider.

CAS OÙ LA SEULE QUESTION EN LITIGE EST UNE QUESTION DE DROIT

(8) Si la seule question en litige véritable est une question de droit, le tribunal décide de la question et rend une ordonnance définitive en conséquence.

ORDONNANCE DONNANT DES DIRECTIVES

(9) S'il ne rend pas d'ordonnance définitive ou qu'il rend une ordonnance exigeant la tenue d'un procès sur une question en litige, le tribunal peut également faire ce qui suit :

- a) préciser les faits non contestés, indiquer les questions en litige et donner des directives sur la façon dont le procès se déroulera et la date de celui-ci (auquel cas l'ordonnance régit le déroulement du procès, à moins que le juge du procès n'ordonne autrement afin d'éviter une injustice);
- b) donner des directives;
- c) imposer des conditions (par exemple, exiger qu'une partie consigne une somme au tribunal comme cautionnement ou limiter la divulgation préalable au procès effectuée par une partie).

COSTS OF UNSUCCESSFUL MOTION

(10) If the party who made the motion has no success on the motion, the court shall decide the amount of the other party's costs of the motion on a full recovery basis and order the party who made the motion to pay them immediately, unless the motion was justified, although unsuccessful.

COSTS—BAD FAITH

(11) If a party has acted in bad faith, the court shall decide the costs of the motion on a full recovery basis and shall order the party to pay them immediately.

MOTION FOR SUMMARY DECISION ON LEGAL ISSUE

(12) The court may, on motion,

- (a) decide a question of law before trial, if the decision may dispose of all or part of the case, substantially shorten the trial or save substantial costs;
- (b) strike out an application, answer or reply because it sets out no reasonable claim or defence in law; or
- (c) dismiss or suspend a case because,
 - (i) the court has no jurisdiction over it,
 - (ii) a party has no legal capacity to carry on the case,
 - (iii) there is another case going on between the same parties about the same matter, or
 - (iv) the case is a waste of time, a nuisance or an abuse of the court process.

EVIDENCE ON MOTION FOR SUMMARY DECISION OF LEGAL ISSUE

(13) On a motion under subrule (12), evidence is admissible only if the parties consent or the court gives permission.

RULE 17: CONFERENCES**CONFERENCES IN DEFENDED CASES**

17. (1) In each case in which an answer is filed,
- (a) a judge shall conduct at least one case conference; and
 - (b) a judge may conduct a settlement conference, a trial management conference or both.

UNDEFENDED CASES

- (2) If no answer is filed,
- (a) the clerk shall, on request, set a date for an uncontested trial or, in an uncontested divorce case, prepare the documents for a judge; and
 - (b) a case conference, settlement conference or trial management conference shall be conducted only if the court orders it.

MOTIONS TO CHANGE ORDER OR AGREEMENT

(3) Subrule (1) applies, with necessary changes, to a motion to change a final order or agreement under rule 15 in which an affidavit is served in response to the motion.

DÉPENS DE LA MOTION REJETÉE

(10) Si la partie qui présente la motion n'a gain de cause à aucun égard, le tribunal fixe le montant des dépens de l'autre partie en fonction du recouvrement intégral de ses frais et lui ordonne de les payer immédiatement, sauf si la motion était justifiée malgré son rejet.

DÉPENS — CAS DE MAUVAISE FOI

(11) Si une partie à la motion a agi de mauvaise foi, le tribunal fixe le montant des dépens de l'autre partie en fonction du recouvrement intégral de ses frais et lui ordonne de les payer immédiatement.

MOTION EN DÉCISION SOMMAIRE SUR UNE QUESTION DE DROIT

(12) Le tribunal peut, sur motion :

- a) soit décider d'une question de droit avant le procès, si la décision est susceptible de régler tout ou partie de la cause, d'abrégier considérablement le procès ou de réduire considérablement les dépens;
- b) soit radier une requête, une défense ou une réponse parce qu'elle ne révèle aucune demande ou défense raisonnable fondée en droit;
- c) soit rejeter ou suspendre une cause parce que, selon le cas :
 - (i) le tribunal n'a pas compétence pour l'entendre,
 - (ii) une partie n'a pas la capacité juridique pour poursuivre la cause,
 - (iii) une autre cause en cours sur la même question oppose les mêmes parties,
 - (iv) la cause constitue une perte de temps ou un recours abusif au tribunal ou est introduite dans l'intention de causer des embêtements.

PREUVES DANS LE CAS D'UNE MOTION EN DÉCISION SOMMAIRE SUR UNE QUESTION DE DROIT

(13) Dans le cadre d'une motion prévue au paragraphe (12), les preuves ne peuvent être présentées que si les parties y consentent ou le tribunal accorde sa permission.

RÈGLE 17 : CONFÉRENCES**CONFÉRENCES DANS LES CAUSES CONTESTÉES**

17. (1) Dans chaque cause dans laquelle une défense est déposée :
- a) d'une part, le juge tient au moins une conférence relative à la cause;
 - b) d'autre part, le juge peut tenir une conférence en vue d'un règlement amiable, une conférence de gestion du procès ou les deux.

CAUSES NON CONTESTÉES

- (2) Si aucune défense n'est déposée :
- a) d'une part, le greffier, sur demande, fixe la date d'un procès non contesté ou, s'il s'agit d'une cause de divorce non contestée, prépare les documents pour le juge;
 - b) d'autre part, une conférence relative à la cause, une conférence en vue d'un règlement amiable ou une conférence de gestion du procès n'a lieu que sur ordonnance du tribunal.

MOTIONS EN MODIFICATION D'UNE ORDONNANCE OU D'UN ACCORD

(3) Le paragraphe (1) s'applique, avec les adaptations nécessaires, à une motion en modification d'une ordonnance définitive ou d'un accord présentée en vertu de la règle 15 dans laquelle un affidavit est signifié en réponse à la motion.

PURPOSES OF CASE CONFERENCE

- (4) The purposes of a case conference include,
- (a) exploring the chances of settling the case;
 - (b) identifying the issues that are in dispute and those that are not in dispute;
 - (c) exploring ways to resolve the issues that are in dispute;
 - (d) ensuring disclosure of the relevant evidence;
 - (e) noting admissions that may simplify the case;
 - (f) setting the date for the next step in the case;
 - (g) if possible, having the parties agree to a specific timetable for the steps to be taken in the case before it comes to trial; and
 - (h) organizing a settlement conference, or holding one if appropriate.

PURPOSES OF SETTLEMENT CONFERENCE

- (5) The purposes of a settlement conference include,
- (a) exploring the chances of settling the case;
 - (b) settling or narrowing the issues in dispute;
 - (c) ensuring disclosure of the relevant evidence;
 - (d) noting admissions that may simplify the case;
 - (e) if possible, obtaining a view of how the court might decide the case;
 - (f) considering any other matter that may help in a quick and just conclusion of the case;
 - (g) if the case is not settled, identifying the witnesses and other evidence to be presented at trial, estimating the time needed for trial and scheduling the case for trial; and
 - (h) organizing a trial management conference, or holding one if appropriate.

PURPOSES OF TRIAL MANAGEMENT CONFERENCE

- (6) The purposes of a trial management conference include,
- (a) exploring the chances of settling the case;
 - (b) arranging to receive evidence by a written report, an agreed statement of facts, an affidavit or another method, if appropriate;
 - (c) deciding how the trial will proceed;
 - (d) ensuring that the parties know what witnesses will testify and what other evidence will be presented at trial;
 - (e) estimating the time needed for trial; and
 - (f) setting the trial date, if this has not already been done.

COMBINED CONFERENCE

(7) On the consent of the judge and the parties, part or all of a case conference, settlement conference and trial management conference may be combined.

OBJET D'UNE CONFÉRENCE RELATIVE À LA CAUSE

- (4) La conférence relative à la cause a notamment pour objet ce qui suit :
- a) examiner les chances de transiger sur la cause;
 - b) déterminer les questions qui sont en litige et celles qui ne le sont pas;
 - c) étudier les moyens de résoudre les questions qui sont en litige;
 - d) veiller à la divulgation des preuves pertinentes;
 - e) noter les admissions susceptibles de simplifier la cause;
 - f) fixer la date de la prochaine étape de la cause;
 - g) obtenir, si possible, l'accord des parties sur un calendrier précis des étapes à suivre dans le cadre de la cause avant le procès;
 - h) organiser une conférence en vue d'un règlement amiable ou en tenir une s'il y a lieu.

OBJET DE LA CONFÉRENCE EN VUE D'UN RÈGLEMENT AMIABLE

- (5) La conférence en vue d'un règlement amiable a notamment pour objet ce qui suit :
- a) examiner les chances de transiger sur la cause;
 - b) transiger sur les questions en litige ou les restreindre;
 - c) veiller à la divulgation des preuves pertinentes;
 - d) noter les admissions susceptibles de simplifier la cause;
 - e) en arriver si possible à une idée de la façon dont le tribunal décidera de la cause;
 - f) examiner les autres questions qui peuvent contribuer à une résolution rapide et équitable de la cause;
 - g) en l'absence de règlement amiable, identifier les témoins devant comparaître et les autres preuves à présenter au procès, évaluer la durée de celui-ci et en fixer la date;
 - h) organiser une conférence de gestion du procès ou en tenir une s'il y a lieu.

OBJET DE LA CONFÉRENCE DE GESTION DU PROCÈS

- (6) La conférence de gestion du procès a notamment pour objet ce qui suit :
- a) examiner les chances de transiger sur la cause;
 - b) prendre des dispositions pour recevoir les témoignages au moyen, notamment, de rapports écrits, d'exposés conjoints des faits ou d'affidavits, s'il y a lieu;
 - c) décider de la façon dont le procès se déroulera;
 - d) veiller à ce que les parties connaissent le nom des témoins qui comparaîtront et les autres témoignages qui seront présentés au procès;
 - e) évaluer la durée du procès;
 - f) fixer la date du procès, si cela n'est pas déjà fait.

JONCTION DES CONFÉRENCES

(7) Sur consentement du juge et des parties, une conférence relative à la cause, une conférence en vue d'un règlement amiable et une conférence de gestion du procès peuvent être jointes en totalité ou en partie.

ORDERS AT CONFERENCE

(8) At a case conference, settlement conference or trial management conference the judge may, if it is appropriate to do so,

- (a) make an order for document disclosure (rule 19) or questioning (rule 20), set the times for events in the case or give directions for the trial;
- (b) if notice has been served, make a temporary or final order;
- (c) make an unopposed order or an order on consent; and
- (d) on consent, refer any issue for alternative dispute resolution.

CONFERENCES WITH A NON-JUDGE

(9) A case conference or settlement conference may be conducted by a person who has been named by the appropriate senior judge, unless a party requests a conference with a judge.

SETTLEMENT CONFERENCE WITH JUDGE BEFORE CASE SET FOR TRIAL

- (10) A case shall not be scheduled for trial unless,
- (a) a judge has conducted a settlement conference; or
- (b) a judge has ordered that the case be scheduled for trial.

CASE CONFERENCE—MOTION TO CHANGE FINAL ORDER OR AGREEMENT

(11) A motion for an order to change a final order or agreement under rule 15 shall not be heard before a case conference has been held.

ENFORCEMENT—CONFERENCES OPTIONAL

(12) In an enforcement, a case conference, settlement conference or trial management conference may be held at a party's request or on a judge's direction.

PARTIES TO SERVE BRIEFS

(13) Not later than seven days before the date scheduled for the conference, each party shall serve and file a case conference brief (Form 17), settlement conference brief (Form 17A) or trial management conference brief (Form 17B), as appropriate.

PARTIES TO CONFIRM ATTENDANCE

(14) Not later than 2 p.m. on the day before the date scheduled for the conference, each party shall file a confirmation (Form 14C).

PARTIES AND LAWYERS TO COME TO CONFERENCE

- (15) The following shall come to each conference:
 - 1. The parties, unless the court orders otherwise.
 - 2. For each represented party, the lawyer with full knowledge of and authority in the case.

ORDONNANCES RENDUES LORS D'UNE CONFÉRENCE

(8) Lors d'une conférence relative à la cause, d'une conférence en vue d'un règlement amiable ou d'une conférence de gestion du procès, le juge peut, si cela est approprié :

- a) rendre une ordonnance de divulgation de documents (règle 19) ou d'interrogatoire (règle 20), fixer les date et heure des étapes de la cause ou donner des directives pour le procès;
- b) si un avis a été signifié, rendre une ordonnance temporaire ou définitive;
- c) rendre une ordonnance non contestée ou une ordonnance sur consentement;
- d) sur consentement, renvoyer toute question en litige pour règlement extrajudiciaire.

CONFÉRENCES PRÉSIDÉES PAR UNE PERSONNE QUIN'EST PAS JUGE

(9) Une personne nommée par le juge principal compétent peut présider une conférence relative à la cause ou une conférence en vue d'un règlement amiable, à moins qu'une partie ne demande une conférence devant un juge.

CONFÉRENCE EN VUE D'UN RÈGLEMENT AMIABLE DEVANT UN JUGE AVANT LA FIXATION DE LA DATE DU PROCÈS

(10) La date du procès ne doit pas être fixée à moins que, selon le cas :

- a) un juge n'ait tenu une conférence en vue d'un règlement amiable;
- b) un juge n'ait ordonné la fixation de cette date.

CONFÉRENCE RELATIVE À LA CAUSE — MOTION EN MODIFICATION D'UNE ORDONNANCE DÉFINITIVE OU D'UN ACCORD

(11) Une motion visant à obtenir une ordonnance en modification d'une ordonnance définitive ou d'un accord présentée en vertu de la règle 15 ne doit pas être entendue avant la tenue d'une conférence relative à la cause.

EXÉCUTION — CONFÉRENCES FACULTATIVES

(12) Dans le cadre d'une procédure d'exécution, une conférence relative à la cause, une conférence en vue d'un règlement amiable ou une conférence de gestion du procès peut être tenue si une partie le demande ou qu'un juge l'ordonne.

MÉMOIRES QUE DOIVENT SIGNIFIER LES PARTIES

(13) Au plus tard sept jours avant la date prévue pour la conférence, chaque partie signifie et dépose un mémoire de conférence relative à la cause (formule 17), un mémoire de conférence en vue d'un règlement amiable (formule 17A) ou un mémoire de conférence de gestion du procès (formule 17B), selon le cas.

CONFIRMATION DE LEUR PRÉSENCE PAR LES PARTIES

(14) Au plus tard à 14 heures la veille de la date prévue pour la conférence, chaque partie dépose une confirmation (formule 14C).

OBLIGATION DES PARTIES ET DE LEURS AVOCATS D'ASSISTER À LA CONFÉRENCE

- (15) Les personnes suivantes assistent à chaque conférence :
 - 1. Les parties, sauf ordonnance contraire du tribunal.
 - 2. Pour chaque partie représentée, l'avocat qui a une connaissance complète de la cause et qui est habilité à agir dans celle-ci.

PARTICIPATION BY TELEPHONE OR VIDEO CONFERENCE

(16) With permission obtained in advance from the judge who is to conduct a conference, a party or lawyer may participate in the conference by telephone or video conference.

SETTING UP TELEPHONE OR VIDEO CONFERENCE

(17) A party or lawyer who has permission to participate by telephone or video conference shall,

- (a) make the necessary arrangements;
- (b) serve a notice of the arrangements on all other parties and file it; and
- (c) participate in the conference as the notice specifies.

COSTS OF ADJOURNED CONFERENCE

(18) If a conference is adjourned because a party is not prepared, has not served the required brief, has not made the required disclosure or has otherwise not followed these rules, the judge shall,

- (a) order the party to pay the costs of the conference immediately;
- (b) decide the amount of the costs; and
- (c) give any directions that are needed.

CONFERENCE AGREEMENT

(19) No agreement reached at a conference is effective until it is signed by the parties, witnessed and, in a case involving a special party, approved by the court.

AGREEMENT FILED IN CONTINUING RECORD

(20) The agreement shall be filed as part of the continuing record, unless the court orders otherwise.

CONFERENCE BRIEF TO BE RETURNED

(21) A conference brief does not form part of the continuing record or court file and shall be returned, at the end of the conference, to the party who filed it.

BRIEF DESTROYED IF NOT RETURNED

(22) If a conference brief is not returned to a party at the end of a conference, the court staff shall destroy the brief immediately after the conference.

CONFIDENTIALITY OF SETTLEMENT CONFERENCE

(23) No brief or evidence prepared for a settlement conference and no statement made at a settlement conference shall be disclosed to any other judge, except in,

- (a) an agreement reached at a settlement conference; or
- (b) an order.

SETTLEMENT CONFERENCE JUDGE CANNOT HEAR ISSUE

(24) A judge who conducts a settlement conference about an issue shall not hear the issue.

RULE 18: OFFERS TO SETTLE**DEFINITION**

18. (1) In this rule,

PARTICIPATION PAR CONFÉRENCE TÉLÉPHONIQUE OU VIDÉOCONFÉRENCE

(16) Une partie ou un avocat peut participer à une conférence par conférence téléphonique ou vidéoconférence avec la permission préalable du juge qui la préside.

ORGANISATION D'UNE CONFÉRENCE TÉLÉPHONIQUE OU D'UNE VIDÉOCONFÉRENCE

(17) La partie ou l'avocat qui a la permission d'assurer sa participation par conférence téléphonique ou vidéoconférence :

- a) prend les dispositions nécessaires à cette fin;
- b) signifie un avis des dispositions prises aux autres parties et le dépose;
- c) participe à la conférence comme le précise l'avis.

DÉPENS D'UNE CONFÉRENCE AJOURNÉE

(18) Si une conférence est ajournée parce qu'une partie n'est pas préparée, n'a pas signifié le mémoire exigé, n'a pas effectué la divulgation exigée ou n'a pas observé les présentes règles sous un autre rapport, le juge :

- a) ordonne à la partie de payer immédiatement les dépens de la conférence;
- b) fixe le montant des dépens;
- c) donne toutes directives nécessaires.

ACCORD CONCLU LORS D'UNE CONFÉRENCE

(19) Aucun accord conclu lors d'une conférence ne prend effet tant qu'il n'est pas signé par les parties et les témoins et, dans une cause qui concerne une partie spéciale, approuvé par le tribunal.

ACCORD VERSÉ AU DOSSIER CONTINU

(20) Sauf ordonnance contraire du tribunal, l'accord est versé au dossier continu.

RETOUR DU MÉMOIRE DE CONFÉRENCE

(21) Un mémoire de conférence ne fait pas partie du dossier continu ou du dossier du greffe et, à la fin de la conférence, il est retourné à la partie qui l'a déposé.

DESTRUCTION DU MÉMOIRE S'IL N'EST PAS RETOURNÉ

(22) Si le mémoire de conférence n'est pas retourné à la partie à la fin de la conférence, le personnel du tribunal le détruit immédiatement après celle-ci.

CARACTÈRE CONFIDENTIEL DE LA CONFÉRENCE EN VUE D'UN RÈGLEMENT AMIABLE

(23) Les mémoires et les preuves préparés pour une conférence en vue d'un règlement amiable et les déclarations faites lors d'une telle conférence ne doivent pas être divulgués à un autre juge, sauf :

- a) dans un accord conclu lors de la conférence;
- b) dans une ordonnance.

COMPÉTENCE DU JUGE QUI PRÉSIDE LA CONFÉRENCE EN VUE D'UN RÈGLEMENT AMIABLE

(24) Le juge qui préside une conférence en vue d'un règlement amiable ne doit pas entendre la question en litige.

RÈGLE 18 : OFFRES DE RÈGLEMENT AMIABLE**DÉFINITION**

18. (1) La définition qui suit s'applique à la présente règle.

“offer” means an offer to settle one or more claims in a case, motion, appeal or enforcement, and includes a counter-offer.

APPLICATION

(2) This rule applies to an offer made at any time, even before the case is started.

MAKING AN OFFER

(3) A party may serve an offer on any other party.

OFFER TO BE SIGNED BY PARTY AND LAWYER

(4) An offer shall be signed personally by the party making it and also by the party's lawyer, if any.

WITHDRAWING AN OFFER

(5) A party who made an offer may withdraw it by serving a notice of withdrawal, at any time before the offer is accepted.

TIME-LIMITED OFFER

(6) An offer that is not accepted within the time set out in the offer is considered to have been withdrawn.

OFFER EXPIRES WHEN COURT BEGINS TO GIVE DECISION

(7) An offer may not be accepted after the court begins to give a decision that disposes of a claim dealt with in the offer.

CONFIDENTIALITY OF OFFER

(8) The terms of an offer,

(a) shall not be mentioned in any document filed in the continuing record; and

(b) shall not be mentioned to the judge hearing the claim dealt with in the offer, until the judge has dealt with all the issues in dispute except costs.

ACCEPTING AN OFFER

(9) The only valid way of accepting an offer is by serving an acceptance on the party who made the offer, at any time before,

(a) the offer is withdrawn; or

(b) the court begins to give a decision that disposes of a claim dealt with in the offer.

OFFER REMAINS OPEN DESPITE REJECTION OR COUNTER-OFFER

(10) A party may accept an offer in accordance with subrule (9) even if the party has previously rejected the offer or made a counter-offer.

COSTS NOT DEALT WITH IN OFFER

(11) If an accepted offer does not deal with costs, either party is entitled to ask the court for costs.

COURT APPROVAL, OFFER INVOLVING SPECIAL PARTY

(12) A special party may make, withdraw and accept an offer, but another party's acceptance of a special party's offer and a special party's acceptance of another party's offer are not binding on the special party until the court approves.

FAILURE TO CARRY OUT TERMS OF ACCEPTED OFFER

(13) If a party to an accepted offer does not carry out the terms of the offer, the other party may,

«offre» Offre de règlement amiable sur une ou plusieurs des demandes dans une cause, une motion, un appel ou une procédure d'exécution. S'entend en outre d'une contre-offre.

APPLICATION

(2) La présente règle s'applique à une offre présentée en tout temps, même avant l'introduction de la cause.

PRÉSENTATION D'UNE OFFRE

(3) Une partie peut signifier une offre à toute autre partie.

SIGNATURE DE L'OFFRE PAR LA PARTIE ET SON AVOCAT

(4) L'offre est signée personnellement par la partie qui la présente et par son avocat, si elle en a un.

RETRAIT D'UNE OFFRE

(5) La partie qui a présenté une offre peut la retirer en signifiant un avis de retrait avant son acceptation.

DURÉE DE L'OFFRE

(6) L'offre qui n'est pas acceptée dans le délai qui y est précisé est considérée comme ayant été retirée.

EXPIRATION DE L'OFFRE LORSQUE LE TRIBUNAL COMMENCE À RENDRE SA DÉCISION

(7) L'offre ne peut être acceptée après que le tribunal a commencé à rendre une décision sur la demande qui en fait l'objet.

CARACTÈRE CONFIDENTIEL DE L'OFFRE

(8) Les conditions de l'offre :

a) d'une part, ne doivent pas être mentionnées dans les documents déposés dans le dossier continu;

b) d'autre part, ne doivent pas être mentionnées au juge qui entend la demande qui en fait l'objet tant qu'il n'a pas traité toutes les questions en litige, à l'exception des dépens.

ACCEPTATION DE L'OFFRE

(9) La seule façon valide d'accepter une offre est de signifier une acceptation à la partie qui l'a présentée avant que, selon le cas :

a) l'offre ne soit retirée;

b) le tribunal n'ait commencé à rendre une décision sur une demande qui fait l'objet de l'offre.

OFFRE VALIDE MALGRÉ LE REJET OU UNE CONTRE-OFFRE

(10) Une partie peut accepter une offre conformément au paragraphe (9) même si elle l'a rejetée antérieurement ou a présenté une contre-offre.

DÉPENS NON PRÉVUS DANS L'OFFRE

(11) Si une offre acceptée ne traite pas des dépens, l'une ou l'autre partie a le droit de demander au tribunal de les lui accorder.

APPROBATION PAR LE TRIBUNAL D'UNE OFFRE QUI CONCERNE UNE PARTIE SPÉCIALE

(12) Une partie spéciale peut présenter, retirer et accepter une offre, mais l'acceptation d'une offre d'une partie spéciale par une autre partie et l'acceptation d'une offre d'une autre partie par une partie spéciale ne lient pas la partie spéciale tant que le tribunal ne l'a pas approuvée.

INOBSERVATION DES CONDITIONS D'UNE OFFRE ACCEPTÉE

(13) Si une partie à une offre acceptée n'en observe pas les conditions, l'autre partie peut :

- (a) make a motion to turn the parts of the offer within the court's jurisdiction into an order; or
- (b) continue the case as if the offer had never been accepted.

COSTS CONSEQUENCES OF FAILURE TO ACCEPT OFFER

(14) A party who makes an offer is, unless the court orders otherwise, entitled to costs to the date the offer was served and full recovery of costs from that date, if the following conditions are met:

1. If the offer relates to a motion, it is made at least one day before the motion date.
2. If the offer relates to a trial or the hearing of a step other than a motion, it is made at least seven days before the trial or hearing date.
3. The offer does not expire and is not withdrawn before the hearing starts.
4. The offer is not accepted.
5. The party who made the offer obtains an order that is as favourable as or more favourable than the offer.

COSTS CONSEQUENCES—BURDEN OF PROOF

(15) The burden of proving that the order is as favourable as or more favourable than the offer to settle is on the party who claims the benefit of subrule (14).

COSTS—DISCRETION OF COURT

(16) When the court exercises its discretion over costs, it may take into account any written offer to settle, the date it was made and its terms, even if subrule (14) does not apply.

RULE 19: DOCUMENT DISCLOSURE

AFFIDAVIT LISTING DOCUMENTS

19. (1) Every party shall, within 10 days after another party's request, give the other party an affidavit listing every document that is,

- (a) relevant to any issue in the case; and
- (b) in the party's control, or available to the party on request.

ACCESS TO LISTED DOCUMENTS

- (2) The other party is entitled, on request,
 - (a) to examine any document listed in the affidavit, unless it is protected by a legal privilege; and
 - (b) to receive, at the party's own expense at the legal aid rate, a copy of any document that the party is entitled to examine under clause (a).

ACCESS TO DOCUMENTS MENTIONED IN COURT PAPERS

(3) Subrule (2) also applies, with necessary changes, to a document mentioned in a party's application, answer, reply, notice of motion, affidavit, financial statement or net family property statement.

DOCUMENTS PROTECTED BY LEGAL PRIVILEGE

(4) If a party claims that a document is protected by a legal privilege, the court may, on motion, examine it and decide the issue.

- a) soit présenter une motion visant à faire transformer en ordonnance les parties de l'offre qui relèvent de la compétence du tribunal;
- b) soit poursuivre la cause comme si l'offre n'avait jamais été acceptée.

DÉPENS EN CAS DE NON-ACCEPTATION DE L'OFFRE

(14) La partie qui présente une offre a droit, sauf ordonnance contraire du tribunal, aux dépens à la date de la signification de l'offre et au recouvrement intégral des dépens à compter de cette date si les conditions suivantes sont remplies :

1. Si l'offre se rapporte à une motion, elle est présentée au moins un jour avant la date d'audition de celle-ci.
2. Si l'offre se rapporte à un procès ou à l'audition d'une étape autre qu'une motion, elle est présentée au moins sept jours avant la date du procès ou de l'audience.
3. L'offre n'expire pas et n'est pas retirée avant le début de l'audience.
4. L'offre n'est pas acceptée.
5. La partie qui a présenté l'offre obtient une ordonnance qui est aussi favorable que l'offre ou plus favorable qu'elle.

DÉPENS — FARDEAU DE LA PREUVE

(15) Le fardeau de prouver que l'ordonnance est aussi favorable que l'offre de règlement amiable ou plus favorable qu'elle incombe à la partie qui invoque le paragraphe (14).

DÉPENS — POUVOIR DISCRÉTIONNAIRE DU TRIBUNAL

(16) Lorsqu'il exerce son pouvoir discrétionnaire d'adjudication des dépens, le tribunal peut prendre en considération toute offre écrite de règlement amiable, la date à laquelle elle a été présentée et ses conditions, même si le paragraphe (14) ne s'applique pas.

RÈGLE 19 : DIVULGATION DE DOCUMENTS

AFFIDAVIT ÉNUMÉRANT LES DOCUMENTS

19. (1) Au plus tard 10 jours après que l'autre partie le lui demande, la partie lui remet un affidavit énumérant tous les documents :

- a) qui se rapportent à une question en litige dans la cause;
- b) qui sont sous le contrôle de la partie ou à sa disposition sur demande.

ACCÈS AUX DOCUMENTS ÉNUMÉRÉS DANS L'AFFIDAVIT

- (2) L'autre partie a le droit, sur demande :
 - a) d'une part, d'examiner tout document figurant dans l'affidavit, sauf s'il est protégé par un privilège juridique;
 - b) d'autre part, de recevoir à ses frais, au tarif de l'aide juridique, une copie de tout document qu'elle a le droit d'examiner en vertu de l'alinéa a).

DOCUMENTS MENTIONNÉS DANS LES DOSSIERS DU TRIBUNAL

(3) Le paragraphe (2) s'applique également, avec les adaptations nécessaires, aux documents mentionnés dans une requête, une défense, une réponse, un avis de motion, un affidavit, un état financier ou un état des biens familiaux nets d'une partie.

DOCUMENTS PROTÉGÉS PAR UN PRIVILÈGE JURIDIQUE

(4) Si une partie prétend qu'un document est protégé par un privilège juridique, le tribunal peut, sur motion, l'examiner et décider de la question.

USE OF PRIVILEGED DOCUMENTS

(5) A party who claims that a document is protected by a legal privilege may use it at trial only,

- (a) if the other party has been allowed to examine the document and been supplied with a copy, free of charge, at least 30 days before the settlement conference; or
- (b) on the conditions the trial judge considers appropriate, including an adjournment if necessary.

DOCUMENTS OF SUBSIDIARY OR AFFILIATED CORPORATION

(6) The court may, on motion, order a party to give another party an affidavit listing the documents that are,

- (a) relevant to any issue in the case; and
- (b) in the control of, or available on request to a corporation that is controlled, directly or indirectly, by the party or by another corporation that the party controls directly or indirectly.

ACCESS TO LISTED DOCUMENTS

(7) Subrule (2) also applies, with necessary changes, to any document listed in an affidavit ordered under subrule (6).

DOCUMENTS OMITTED FROM AFFIDAVIT OR FOUND LATER

(8) A party who, after serving an affidavit required under subrule (1) or (6), finds a document that should have been listed in it, or finds that the list is not correct or not complete, shall immediately serve on the other party a new affidavit listing the correct information.

ACCESS TO ADDITIONAL DOCUMENTS

- (9) The other party is entitled, on request,
- (a) to examine any document listed in an affidavit served under subrule (8), unless it is protected by a legal privilege; and
- (b) to receive, free of charge, a copy of any document that the party is entitled to examine under clause (a).

FAILURE TO FOLLOW RULE OR OBEY ORDER

(10) If a party does not follow this rule or obey an order made under this rule, the court may, on motion, do one or more of the following:

1. Order the party to give another party an affidavit, let the other party examine a document or supply the other party with a copy free of charge.
2. Order that a document favourable to the party's case may not be used except with the court's permission.
3. Order that the party is not entitled to obtain disclosure under these rules until the party follows the rule or obeys the order.
4. Dismiss the party's case or strike out the party's answer.
5. Order the party to pay the other party's costs for the steps taken under this rule, and decide the amount of the costs.
6. Make a contempt order against the party.

UTILISATION DE DOCUMENTS PROTÉGÉS

(5) La partie qui prétend qu'un document est protégé par un privilège juridique ne peut l'utiliser au procès que dans l'un ou l'autre des cas suivants :

- a) l'autre partie a été autorisée à l'examiner et une copie lui a été fournie gratuitement au moins 30 jours avant la conférence en vue d'un règlement amiable;
- b) la partie respecte les conditions que le juge du procès estime appropriées, y compris un ajournement s'il y a lieu.

DOCUMENTS DE FILIALES OU DE SOCIÉTÉS APPARTENANT AU MÊME GROUPE

(6) Le tribunal peut, sur motion, ordonner à une partie de remettre à une autre partie un affidavit énumérant les documents :

- a) qui se rapportent à toute question en litige dans la cause;
- b) qui sont sous le contrôle d'une société contrôlée, directement ou indirectement, par la partie ou par une autre société que la partie contrôle directement ou indirectement, ou qui sont à la disposition, sur demande, d'une telle société.

ACCÈS AUX DOCUMENTS ÉNUMÉRÉS DANS L'AFFIDAVIT

(7) Le paragraphe (2) s'applique également, avec les adaptations nécessaires, à tout document figurant dans un affidavit dont la remise est ordonnée en vertu du paragraphe (6).

DOCUMENTS NON MENTIONNÉS DANS L'AFFIDAVIT OU TROUVÉS PLUS TARD

(8) La partie qui, après avoir signifié l'affidavit exigé aux termes du paragraphe (1) ou (6), trouve un document qui aurait dû figurer dans l'affidavit ou constate que la liste de documents est inexacte ou incomplète signifie immédiatement à l'autre partie un nouvel affidavit qui comprend les renseignements exacts.

ACCÈS À D'AUTRES DOCUMENTS

- (9) L'autre partie a le droit, sur demande :
- a) d'une part, d'examiner tout document figurant dans un affidavit signifié aux termes du paragraphe (8), à moins qu'il ne soit protégé par un privilège juridique;
- b) d'autre part, de recevoir gratuitement une copie de tout document que la partie a le droit d'examiner en vertu de l'alinéa a).

INOBSERVATION DE LA PRÉSENTE RÈGLE OU D'UNE ORDONNANCE

(10) Si une partie n'observe pas la présente règle ou une ordonnance rendue en vertu de celle-ci, le tribunal peut, sur motion, prendre une ou plusieurs des mesures suivantes :

1. Ordonner à la partie de remettre l'affidavit à une autre partie, de lui permettre d'examiner un document ou de lui en fournir une copie gratuitement.
2. Ordonner qu'un document favorable à la cause de la partie ne puisse être utilisé qu'avec la permission du tribunal.
3. Ordonner que la partie n'ait pas droit à la divulgation prévue par les présentes règles tant qu'elle n'observe pas la règle ou l'ordonnance.
4. Rejeter la cause de la partie ou radier sa défense.
5. Ordonner à la partie de payer les dépens de l'autre partie pour les démarches entreprises aux termes de la présente règle et en fixer le montant.
6. Rendre une ordonnance pour outrage contre la partie.

7. Make any other order that is appropriate.

DOCUMENT IN NON-PARTY'S CONTROL

(11) If a document is in a non-party's control, or is available only to the non-party, and is not protected by a legal privilege, and it would be unfair to a party to go on with the case without the document, the court may, on motion with notice served on every party and served on the non-party by special service,

- (a) order the non-party to let the party examine the document and to supply the party with a copy at the legal aid rate; and
- (b) order that a copy be prepared and used for all purposes of the case instead of the original.

RULE 20: QUESTIONING A WITNESS AND DISCLOSURE

QUESTIONING—PROCEDURE

20. (1) Questioning under this rule shall take place orally under oath or affirmation.

CROSS-EXAMINATION

(2) The right to question a person includes the right to cross-examine.

CHILD PROTECTION CASE—AVAILABLE AS OF RIGHT

(3) In a child protection case, a party is entitled to obtain information from another party about any issue in the case,

- (a) by questioning the other party, in which case the party shall serve the other party with a summons to witness (Form 23) by a method of special service set out in clause 6 (3) (a); or
- (b) by affidavit or by another method, in which case the party shall serve the other party with a request for information (Form 20).

OTHER CASES—CONSENT OR ORDER

(4) In a case other than a child protection case, a party is entitled to obtain information from another party about any issue in the case,

- (a) with the other party's consent; or
- (b) by an order under subrule (5).

ORDER FOR QUESTIONING OR DISCLOSURE

(5) The court may, on motion, order that a person (whether a party or not) be questioned by a party or disclose information by affidavit or by another method about any issue in the case, if the following conditions are met:

- 1. It would be unfair to the party who wants the questioning or disclosure to carry on with the case without it.
- 2. The information is not easily available by any other method.
- 3. The questioning or disclosure will not cause unacceptable delay or undue expense.

QUESTIONING SPECIAL PARTY

(6) If a person to be questioned is a special party, the court may, on motion, order that someone else be questioned in addition to or in place of the person.

7. Rendre toute autre ordonnance appropriée.

DOCUMENTS QUI SONT SOUS LE CONTRÔLE D'UNE AUTRE PERSONNE

(11) Si un document est sous le contrôle d'une personne qui n'est pas une partie ou est uniquement à la disposition de cette personne, qu'il n'est pas protégé par un privilège juridique et qu'il serait injuste pour une partie de poursuivre la cause sans l'avoir, le tribunal peut, sur motion présentée avec préavis signifié à chaque partie et signifié à la personne par voie de signification spéciale :

- a) ordonner à la personne de permettre à la partie d'examiner le document et de lui en fournir une copie au tarif de l'aide juridique;
- b) ordonner qu'une copie du document soit préparée et utilisée à toutes fins dans la cause au lieu de l'original.

RÈGLE 20 : INTERROGATION D'UN TÉMOIN ET DIVULGATION

INTERROGATOIRE — PROCÉDURE

20. (1) L'interrogatoire effectué aux termes de la présente règle se fait oralement sous serment ou affirmation solennelle.

CONTRE-INTERROGATOIRE

(2) Le droit d'interroger une personne comprend le droit de la contre-interroger.

CAUSE PORTANT SUR LA PROTECTION D'UN ENFANT — ACCÈS DE PLEIN DROIT AUX RENSEIGNEMENTS

(3) Dans une cause portant sur la protection d'un enfant, une partie a le droit d'obtenir d'une autre partie des renseignements au sujet de toute question en litige dans la cause :

- a) soit en interrogeant l'autre partie, auquel cas la partie signifie à celle-ci une assignation de témoin (formule 23) par un mode de signification spéciale précisé à l'alinéa 6 (3) a);
- b) soit par affidavit ou un autre moyen, auquel cas la partie signifie à l'autre partie une demande de renseignements (formule 20).

AUTRES CAUSES — CONSENTEMENT OU ORDONNANCE

(4) Dans une cause autre qu'une cause portant sur la protection d'un enfant, une partie a le droit d'obtenir d'une autre partie des renseignements au sujet de toute question en litige dans la cause :

- a) soit avec le consentement de l'autre partie;
- b) soit en vertu d'une ordonnance rendue en vertu du paragraphe (5).

ORDONNANCE D'INTERROGATOIRE OU DE DIVULGATION

(5) Le tribunal peut, sur motion, ordonner qu'une personne (qu'elle soit ou non une partie) soit interrogée par une partie ou divulgue des renseignements par affidavit ou un autre moyen au sujet d'une question en litige dans la cause si les conditions suivantes sont remplies :

- 1. Il serait injuste pour la partie de poursuivre la cause sans que l'interrogatoire ou la divulgation qu'elle demande ait lieu.
- 2. Il est difficile d'obtenir les renseignements par un autre moyen.
- 3. L'interrogatoire ou la divulgation n'entraînera pas de retard inacceptable ni des frais excessifs.

INTERROGATION D'UNE PARTIE SPÉCIALE

(6) Si une personne à interroger est une partie spéciale, le tribunal peut, sur motion, ordonner que quelqu'un d'autre soit également interrogé ou soit interrogé à sa place.

QUESTIONING ABOUT AFFIDAVIT OR NET FAMILY PROPERTY STATEMENT

(7) The court may make an order under subrule (5) that a person be questioned or disclose details about information in an affidavit or net family property statement.

QUESTIONING OR DISCLOSURE—PRECONDITIONS

(8) A party who wants to question a person or obtain information by affidavit or by another method may do so only if the party,

- (a) has served and filed any answer, financial statement or net family property statement that these rules require; and
- (b) promises in writing not to serve or file any further material for the next step in the case, except in reply to the answers or information obtained.

NOTICE AND SUMMONS TO NON-PARTY

(9) The court may make an order under this rule affecting a non-party only if the non-party has been served with the notice of motion, a summons to witness (Form 23) and the witness fee required by subrule 23 (4), all by special service (subrule 6 (3)).

PENALTY FOR FAILURE TO OBEY SUMMONS

(10) Subrule 23 (7) (failure to obey summons to witness) applies, with necessary changes, if a person summoned under subrule (9) fails to obey the summons.

PLACE OF QUESTIONING

(11) The questioning shall take place in the municipality in which the person to be questioned lives, unless that person and the party who wants to do the questioning agree to hold it in another municipality.

OTHER ARRANGEMENTS FOR QUESTIONING

(12) If the person to be questioned and the party who wants to do the questioning do not agree on one or more of the following matters, the court shall, on motion, make an order to decide the matter:

- 1. The date and time for the questioning.
- 2. The person responsible for recording the questioning.
- 3. The method for recording the questioning.
- 4. Payment of the expenses of the person to be questioned, if a non-party.

NOTICE TO PARTIES

(13) The parties shall, not later than three days before the questioning, be served with notice of the name of the person to be questioned and the address, date and time of the questioning.

QUESTIONING PERSON OUTSIDE ONTARIO

(14) If a person to be questioned lives outside Ontario and will not come to Ontario for questioning, the court may decide,

- (a) the date, time and place for the questioning;
- (b) how much notice the person should be given;
- (c) the person before whom the questioning will be held;
- (d) the amount of the witness fee to be paid to the person to be questioned;

INTERROGATOIRE AU SUJET D'UN AFFIDAVIT OU D'UN ÉTAT DES BIENS FAMILIAUX NETS

(7) Le tribunal peut rendre une ordonnance en vertu du paragraphe (5) exigeant qu'une personne soit interrogée au sujet des renseignements qui figurent dans un affidavit ou dans un état des biens familiaux nets ou qu'elle divulgue des précisions à leur égard.

INTERROGATOIRE OU DIVULGATION — CONDITIONS PRÉALABLES

(8) La partie qui veut interroger une personne ou obtenir des renseignements par affidavit ou un autre moyen ne peut le faire que si :

- a) d'une part, elle a signifié et déposé la défense, l'état financier ou l'état des biens familiaux nets qu'exigent les présentes règles;
- b) d'autre part, elle promet par écrit de ne pas signifier ni déposer d'autres documents pour la prochaine étape de la cause, sauf en réponse aux défenses ou aux renseignements obtenus.

AVIS ET ASSIGNATION DE TÉMOIN AUX PERSONNES QUI NE SONT PAS DES PARTIES

(9) Le tribunal ne peut rendre, en vertu de la présente règle, une ordonnance visant une personne qui n'est pas une partie que si celle-ci a reçu signification, par voie de signification spéciale (paragraphe 6 (3)), de l'avis de motion, d'une assignation de témoin (formule 23) et de l'indemnité de témoin exigée par le paragraphe 23 (4).

PÉNALITÉ EN CAS D'INOBSERVATION DE L'ASSIGNATION

(10) Le paragraphe 23 (7) (inobservation d'une assignation de témoin) s'applique, avec les adaptations nécessaires, si une personne assignée à comparaître en vertu du paragraphe (9) n'observe pas l'assignation.

LIEU DE L'INTERROGATOIRE

(11) L'interrogatoire a lieu dans la municipalité où habite la personne à interroger, à moins que celle-ci et la partie qui veut l'interroger ne s'entendent pour qu'il ait lieu dans une autre municipalité.

AUTRES DISPOSITIONS POUR L'INTERROGATOIRE

(12) Si la personne à interroger et la partie qui veut l'interroger ne s'entendent pas sur une ou plusieurs des questions suivantes, le tribunal rend, sur motion, une ordonnance décidant de la question :

- 1. Les date et heure de l'interrogatoire.
- 2. La personne chargée d'enregistrer l'interrogatoire.
- 3. Le mode d'enregistrement de l'interrogatoire.
- 4. Le paiement des frais de la personne à interroger qui n'est pas une partie.

AVIS AUX PARTIES

(13) Au plus tard trois jours avant l'interrogatoire, un avis donnant le nom de la personne à interroger ainsi que l'adresse du lieu de l'interrogatoire et les date et heure de celui-ci est signifié aux parties.

INTERROGATION D'UNE PERSONNE DE L'EXTÉRIEUR DE L'ONTARIO

(14) Si une personne à interroger habite à l'extérieur de l'Ontario et refuse de se rendre en Ontario pour l'interrogatoire, le tribunal peut décider ce qui suit :

- a) les date, heure et lieu de l'interrogatoire;
- b) le délai de préavis à donner à la personne;
- c) la personne devant laquelle l'interrogatoire aura lieu;
- d) le montant de l'indemnité de témoin à verser à la personne à interroger;

- (e) the method for recording the questioning;
- (f) where necessary, that the clerk shall issue,
 - (i) an authorization to a commissioner (Form 20A) who is to supervise the questioning outside Ontario, and
 - (ii) a letter of request (Form 20B) to the appropriate court or authorities outside Ontario, asking for their assistance in getting the person to be questioned to come before the commissioner; and
- (g) any other related matter.

COMMISSIONER'S DUTIES

- (15) A commissioner authorized under subrule (14) shall,
- (a) supervise the questioning according to the terms of the court's authorization, these rules and Ontario's law of evidence, unless the law of the place where the questioning is to be held requires some other manner of questioning;
 - (b) make and keep a copy of the record of the questioning and, if possible, of the exhibits, if any;
 - (c) deliver the original record, any exhibits and the authorization to the clerk who issued it; and
 - (d) notify the party who asked for the questioning that the record has been delivered to the clerk.

ORDER TO BRING DOCUMENTS OR THINGS

(16) An order for questioning and a summons to witness may also require the person to bring any document or thing that is,

- (a) relevant to any issue in the case; and
- (b) in the person's control or available to the person on request.

OTHER RULES APPLY

(17) Subrules 19 (2), (4) and (5) (right to examine document and obtain copy, documents protected by legal privilege, use of privileged documents) apply, with necessary changes, to the documents mentioned in the order.

SCOPE OF QUESTIONS

- (18) A person to be questioned may be asked about,
- (a) the names of persons who might reasonably be expected to know about the claims in the case and, with the court's permission, their addresses;
 - (b) the names of the witnesses whom a party intends to call at trial and, with the court's permission, their addresses;
 - (c) the names, addresses, findings, conclusions and opinions of expert witnesses whom a party intends to call or on whose reports the party intends to rely at trial;
 - (d) if it is relevant to the case, the existence and details of any insurance policy under which the insurance company may be required to pay all or part of an order for the payment of money in the case or to pay back to a party money that the party has paid under an order; and

- e) le mode d'enregistrement de l'interrogatoire;
- f) au besoin, la délivrance par le greffier de ce qui suit :
 - (i) l'autorisation du commissaire (formule 20A) qui doit superviser l'interrogatoire à l'extérieur de l'Ontario,
 - (ii) une lettre de demande (formule 20B) adressée au tribunal compétent ou à l'instance compétente de l'extérieur de l'Ontario, sollicitant son aide pour que la personne à interroger se présente devant le commissaire;
- g) toute question connexe.

FONCTIONS DU COMMISSAIRE

(15) Le commissaire qui reçoit l'autorisation prévue au paragraphe (14) fait ce qui suit :

- a) il supervise l'interrogatoire conformément aux conditions de l'autorisation que lui a donnée le tribunal, aux présentes règles et au droit de la preuve de l'Ontario, à moins que le droit de la compétence territoriale où l'interrogatoire doit avoir lieu n'exige une autre forme d'interrogatoire;
- b) il fait et conserve une copie de l'enregistrement de l'interrogatoire et, si possible, des pièces, s'il y en a;
- c) il remet l'original de l'enregistrement, les pièces et l'autorisation au greffier qui a délivré celle-ci;
- d) il avise la partie qui a demandé l'interrogatoire que l'enregistrement a été remis au greffier.

ORDONNANCE EXIGEANT D'APPORTER DES DOCUMENTS OU DES CHOSE

(16) Une ordonnance d'interrogatoire et une assignation de témoin peut également exiger que la personne apporte tout document ou toute chose :

- a) qui se rapporte à une question en litige dans la cause;
- b) qui est sous son contrôle ou à sa disposition sur demande.

APPLICATION D'AUTRES RÈGLES

(17) Les paragraphes 19 (2), (4) et (5) (droit d'examiner un document et d'en obtenir une copie, documents protégés par un privilège juridique, utilisation de documents protégés) s'appliquent, avec les adaptations nécessaires, aux documents mentionnés dans l'ordonnance.

PORTÉE DE L'INTERROGATOIRE

(18) Des questions peuvent être posées sur ce qui suit à la personne à interroger :

- a) le nom des personnes dont on pourrait raisonnablement s'attendre à ce qu'elles aient connaissance des demandes dans la cause et, avec la permission du tribunal, leur adresse;
- b) le nom des témoins qu'une partie a l'intention d'appeler à témoigner au procès et, avec la permission du tribunal, leur adresse;
- c) le nom, l'adresse, les constatations, les conclusions et les opinions des experts qu'une partie a l'intention d'appeler à témoigner au procès ou sur les rapports desquels elle a l'intention de s'appuyer au procès;
- d) si elles se rapportent à la cause, l'existence de toute police d'assurance aux termes de laquelle la compagnie d'assurance peut être tenue de payer tout ou partie de la somme dont le paiement est exigée par une ordonnance rendue dans la cause ou de rembourser à une partie les sommes que celle-ci a versées aux termes d'une ordonnance, ainsi que des précisions sur cette police;

- (e) any other matter in dispute in the case.

REFUSAL TO ANSWER QUESTION

- (19) If a person being questioned refuses to answer a question,

- (a) the court may, on motion,
 - (i) decide whether the question is proper,
 - (ii) give directions for the person's return to the questioning, and
 - (iii) make a contempt order against the person; and
- (b) if the person is a party or is questioned on behalf or in place of a party, the party shall not use the information that was refused as evidence in the case, unless the court gives permission under subrule (20).

COURT'S PERMISSION

(20) The court shall give permission unless the use of the information would cause harm to another party or an unacceptable delay in the trial, and may impose any appropriate conditions on the permission, including an adjournment if necessary.

DUTY TO CORRECT OR UPDATE ANSWERS

(21) A person who has been questioned or who has provided information in writing by affidavit or by another method and who finds that an answer or information given was incorrect or incomplete, or is no longer correct or complete, shall immediately provide the correct and complete information in writing to all parties.

LAWYER ANSWERING

(22) If there is no objection, questions may be answered by the lawyer for a person being questioned, and the answer shall be taken as the person's own answer unless the person corrects or changes it before the questioning ends.

METHOD FOR RECORDING QUESTIONING

(23) All the questions and answers at a questioning shall be recorded electronically or manually.

OBLIGATION TO KEEP INFORMATION CONFIDENTIAL

(24) When a party obtains evidence under this rule, rule 13 (financial statements) or rule 19 (document disclosure), the party and the party's lawyer may use the evidence and any information obtained from it only for the purposes of the case in which the evidence was obtained, subject to the exceptions in subrule (25).

USE OF INFORMATION PERMITTED

(25) Evidence and any information obtained from it may be used for other purposes,

- (a) if the person who gave the evidence consents;
- (b) if the evidence is filed with the court, given at a hearing or referred to at a hearing;
- (c) to impeach the testimony of a witness in another case; or
- (d) in a later case between the same parties or their successors, if the case in which the evidence was obtained was withdrawn or dismissed.

- e) toute autre question en litige dans la cause.

REFUS DE RÉPONDRE À UNE QUESTION

(19) Si la personne qui est interrogée refuse de répondre à une question :

- a) le tribunal peut, sur motion :
 - (i) décider si la question est légitime,
 - (ii) donner des directives pour que la personne se présente à un autre interrogatoire,
 - (iii) rendre une ordonnance pour outrage contre la personne;
- b) si la personne est une partie ou qu'elle est interrogée au nom ou à la place d'une partie, la partie ne doit pas utiliser comme preuves dans la cause les renseignements qui ont été refusés, sauf si le tribunal accorde sa permission aux termes du paragraphe (20).

PERMISSION DU TRIBUNAL

(20) Le tribunal accorde sa permission, sauf si l'utilisation des renseignements causerait un préjudice à une autre partie ou retarderait le procès de façon inacceptable, et il peut assortir cette permission des conditions appropriées, y compris un ajournement s'il y a lieu.

OBLIGATION DE CORRIGER OU DE COMPLÉTER LES RÉPONSES

(21) La personne qui a été interrogée ou qui a fourni des renseignements par affidavit ou un autre moyen et qui constate qu'une réponse donnée ou un renseignement fourni était ou est maintenant inexact ou incomplet fournit immédiatement par écrit les renseignements exacts et complets à toutes les parties.

RÉPONSE DE L'AVOCAT

(22) S'il n'y a pas d'opposition, l'avocat de la personne qui est interrogée peut répondre aux questions, auquel cas la réponse est considérée comme celle de la personne, sauf si elle la corrige ou la modifie avant la fin de l'interrogatoire.

MODE D'ENREGISTREMENT DE L'INTERROGATOIRE

(23) Toutes les questions et les réponses lors d'un interrogatoire sont enregistrées électroniquement ou manuellement.

OBLIGATION DE PRÉSERVER LE CARACTÈRE CONFIDENTIEL DES RENSEIGNEMENTS

(24) Une partie et son avocat ne peuvent utiliser les preuves que la partie obtient en vertu de la présente règle, de la règle 13 (états financiers) ou de la règle 19 (divulcation de documents) et les renseignements tirés de ces preuves qu'aux fins de la cause dans laquelle elle les a obtenues, sous réserve des exceptions prévues au paragraphe (25).

UTILISATION PERMISE DES RENSEIGNEMENTS

(25) Les preuves et les renseignements tirés de celles-ci peuvent être utilisés à d'autres fins :

- a) si la personne qui a présenté les preuves y consent;
- b) si les preuves sont déposées auprès du tribunal ou présentées ou mentionnées à une audience;
- c) afin d'attaquer la crédibilité d'un témoin dans une autre cause;
- d) dans une cause subséquente qui oppose les mêmes parties ou leurs ayants droit, si la cause dans laquelle les preuves ont été obtenues a été retirée ou rejetée.

COURT MAY LIFT OBLIGATION OF CONFIDENTIALITY

(26) The court may, on motion, give a party permission to disclose evidence or information obtained from it if the interests of justice outweigh any harm that would result to the party who provided the evidence.

RULE 21: REPORT OF CHILDREN'S LAWYER**REPORT OF CHILDREN'S LAWYER**

21. When the Children's Lawyer investigates and reports on custody of or access to a child under section 112 of the *Courts of Justice Act*,

- (a) the Children's Lawyer shall first serve notice on the parties and file it;
- (b) the parties shall, from the time they are served with the notice, serve the Children's Lawyer with every document in the case that involves the child's custody, access, support, health or education, as if the Children's Lawyer were a party in the case;
- (c) the Children's Lawyer has the same rights as a party to document disclosure (rule 19) and questioning witnesses (rule 20) about any matter involving the child's custody, access, support, health or education;
- (d) within 90 days after serving the notice under clause (a), the Children's Lawyer shall serve a report on the parties and file it;
- (e) within 30 days after being served with the report, a party may serve and file a statement disputing anything in it; and
- (f) the trial shall not be held and the court shall not make a final order in the case until the 30 days referred to in clause (e) expire or the parties file a statement giving up their right to that time.

RULE 22: ADMISSION OF FACTS**MEANING OF ADMISSION THAT DOCUMENT GENUINE**

22. (1) An admission that a document is genuine is an admission,
- (a) if the document is said to be an original, that it was written, signed or sealed as it appears to have been;
 - (b) if it is said to be a copy, that it is a complete and accurate copy; and
 - (c) if it is said to be a copy of a document that is ordinarily sent from one person to another (for example, a letter, fax or electronic message), that it was sent as it appears to have been sent and was received by the person to whom it is addressed.

REQUEST TO ADMIT

(2) At any time, by serving a request to admit (Form 22) on another party, a party may ask the other party to admit, for purposes of the case only, that a fact is true or that a document is genuine.

COPY OF DOCUMENT TO BE ATTACHED

(3) A copy of any document mentioned in the request to admit shall be attached to it, unless the other party already has a copy or it is impractical to attach a copy.

FIN DE L'OBLIGATION DE PRÉSERVER LE CARACTÈRE CONFIDENTIEL DES RENSEIGNEMENTS

(26) Le tribunal peut, sur motion, accorder à une partie la permission de divulguer des preuves ou des renseignements tirés de celles-ci si l'intérêt de la justice l'emporte sur tout préjudice qui serait causé à la partie qui a présenté les preuves.

RÈGLE 21 : RAPPORT DE L'AVOCAT DES ENFANTS**RAPPORT DE L'AVOCAT DES ENFANTS**

21. Lorsque l'avocat des enfants enquête et fait un rapport sur la garde d'un enfant ou le droit de visite à un enfant en vertu de l'article 112 de la *Loi sur les tribunaux judiciaires* :

- a) il signifie d'abord un avis aux parties et le dépose;
- b) les parties lui signifient, à partir du moment où elles reçoivent signification de l'avis, tous les documents dans la cause qui se rapportent à la garde de l'enfant, au droit de visite à son égard, aux aliments à son intention, à sa santé ou à ses études, comme si l'avocat des enfants était partie à la cause;
- c) il a les mêmes droits qu'une partie à la divulgation de documents (règle 19) et à l'interrogation de témoins (règle 20) au sujet de toute question mettant en cause la garde de l'enfant, le droit de visite à son égard, les aliments à son intention, sa santé ou ses études;
- d) au plus tard 90 jours après avoir signifié l'avis prévu à l'alinéa a), il signifie un rapport aux parties et le dépose;
- e) au plus tard 30 jours après avoir reçu signification du rapport, une partie peut signifier et déposer une déclaration en contestant n'importe quel élément;
- f) le procès ne doit pas avoir lieu et le tribunal ne doit pas rendre d'ordonnance définitive dans la cause tant que le délai de 30 jours mentionné à l'alinéa e) n'est pas expiré ou que les parties n'ont pas déposé une déclaration dans laquelle elles renoncent à leur droit à ce délai.

RÈGLE 22 : ADMISSION DE FAITS**SIGNIFICATION DE L'ADMISSION DE L'AUTHENTICITÉ D'UN DOCUMENT**

22. (1) L'admission de l'authenticité d'un document consiste à admettre :

- a) que le document a été rédigé, signé ou scellé comme il paraît l'avoir été, s'il est présenté comme étant un original;
- b) qu'il est une copie complète et exacte, s'il est présenté comme étant une copie;
- c) qu'il a été envoyé comme il paraît l'avoir été et reçu par la personne à qui il est adressé, s'il est présenté comme étant une copie d'un document qui est ordinairement envoyé d'une personne à une autre (par exemple, une lettre, une télécopie ou un message électronique).

DEMANDE D'ADMISSION

(2) Une partie peut, en lui signifiant une demande d'admission (formule 22), demander à l'autre partie d'admettre, aux fins de la cause seulement, qu'un fait est véridique ou un document authentique.

COPIE D'UN DOCUMENT À JOINDRE

(3) Une copie d'un document mentionné dans la demande d'admission est jointe à celle-ci, à moins que l'autre partie n'en ait déjà une copie ou qu'il ne soit pas pratique d'en joindre une.

RESPONSE REQUIRED WITHIN 20 DAYS

(4) The party on whom the request to admit is served is considered to have admitted, for purposes of the case only, that the fact is true or that the document is genuine, unless the party serves a response (Form 22A) within 20 days,

- (a) denying that a particular fact mentioned in the request is true or that a particular document mentioned in the request is genuine; or
- (b) refusing to admit that a particular fact mentioned in the request is true or that a particular document mentioned in the request is genuine, and giving the reasons for each refusal.

WITHDRAWING ADMISSION

(5) An admission that a fact is true or that a document is genuine (whether contained in a document served in the case or resulting from subrule (4)), may be withdrawn only with the other party's consent or with the court's permission.

RULE 23: EVIDENCE AND TRIAL**TRIAL RECORD**

23. (1) At least 14 days before the start of the trial, the applicant shall serve and file a trial record containing a table of contents and the following documents:

- 1. The application, answer and reply, if any.
- 2. Any agreed statement of facts.
- 3. If relevant to an issue at trial, financial statements and net family property statements by all parties, completed not more than 30 days before the record is served.
- 4. Any assessment report ordered by the court or obtained by consent of the parties.
- 5. Any temporary order relating to a matter still in dispute.
- 6. Any order relating to the trial.
- 7. Any transcript on which the party intends to rely at trial.
- 8. Any expert report on which the party intends to rely at trial.

RESPONDENT MAY ADD TO TRIAL RECORD

(2) Not later than seven days before the start of the trial, a respondent may serve, file and add to the trial record any document referred to in subrule (1) that is not already in the trial record.

SUMMONS TO WITNESS

(3) A party who wants a witness to give evidence in court or to be questioned and to bring documents or other things shall serve on the witness a summons to witness (Form 23), together with the witness fee set out in subrule (4).

WITNESS FEE

(4) A person summoned as a witness shall be paid, for each day that the person is needed in court or to be questioned,

- (a) \$50 for coming to court or to be questioned;
- (b) travel money in the amount of,

RÉPONSE EXIGÉE DANS LES 20 JOURS

(4) La partie à qui la demande d'admission est signifiée est considérée comme ayant admis, aux fins de la cause seulement, que le fait est véridique ou que le document est authentique, à moins qu'elle ne signifie une réponse (formule 22A) dans les 20 jours :

- a) soit niant qu'un fait particulier mentionné dans la demande est véridique ou qu'un document particulier mentionné dans la demande est authentique;
- b) soit refusant d'admettre qu'un fait particulier mentionné dans la demande est véridique ou qu'un document particulier mentionné dans la demande est authentique, en donnant les raisons dans chaque cas.

RETRAIT DE L'ADMISSION

(5) L'admission de la véracité d'un fait ou de l'authenticité d'un document (soit parce qu'il est compris dans un document signifié dans la cause, soit par suite de l'application du paragraphe (4)) ne peut être retirée qu'avec le consentement de l'autre partie ou la permission du tribunal.

RÈGLE 23 : PREUVES ET PROCÈS**DOSSIER DU PROCÈS**

23. (1) Au moins 14 jours avant le début du procès, le requérant signifie et dépose un dossier de procès qui comprend une table des matières et les documents suivants :

- 1. La requête, la défense et la réponse, le cas échéant.
- 2. Les exposés conjoints des faits.
- 3. S'ils se rapportent à une question en litige dans le procès, les états financiers et les états des biens familiaux nets de toutes les parties, remplis au plus tard 30 jours avant la signification du dossier.
- 4. Les rapports d'évaluation ordonnés par le tribunal ou obtenus sur consentement des parties.
- 5. Les ordonnances temporaires portant sur une question toujours en litige.
- 6. Les ordonnances portant sur le procès.
- 7. Les transcriptions sur lesquelles la partie a l'intention de s'appuyer au procès.
- 8. Les rapports d'experts sur lesquels la partie a l'intention de s'appuyer au procès.

DOCUMENTS QUE L'INTIMÉ PEUT AJOUTER AU DOSSIER DU PROCÈS

(2) Au plus tard sept jours avant le début du procès, un intimé peut signifier et déposer tout document mentionné au paragraphe (1) qui ne se trouve pas déjà dans le dossier du procès et l'y ajouter.

ASSIGNATION DE TÉMOIN

(3) La partie qui veut qu'une personne témoigne devant le tribunal ou qu'elle soit interrogée et apporte des documents ou d'autres choses lui signifie une assignation de témoin (formule 23), accompagnée de l'indemnité de témoin précisée au paragraphe (4).

INDEMNITÉ DE TÉMOIN

(4) La personne qui est assignée comme témoin reçoit, pour chaque jour où elle doit se présenter au tribunal ou être interrogée :

- a) 50 \$ pour se présenter au tribunal ou être interrogée;
- b) une indemnité de déplacement correspondant à l'une ou l'autre des sommes suivantes :

- (i) \$5, if the person lives in the city or town where the person gives evidence,
- (ii) 30 cents per kilometre each way, if the person lives elsewhere but within 300 kilometres of the court or place of questioning,
- (iii) the cheapest available air fare plus \$10 a day for airport parking and 30 cents per kilometre each way from the person's home to the airport and from the airport to the court or place of questioning, if the person lives 300 or more kilometres from the court or place of questioning; and
- (c) \$100 per night for meals and overnight stay, if the person does not live in the city or town where the trial is held and needs to stay overnight.

CONTINUING EFFECT OF SUMMONS

(5) A summons to witness remains in effect until it is no longer necessary to have the witness present.

SUMMONS FOR ORIGINAL DOCUMENT

(6) If a document can be proved by a certified copy, a party who wants a witness to bring the original shall not serve a summons on the witness for that purpose without the court's permission.

FAILURE TO OBEY SUMMONS

(7) The court may issue a warrant for arrest (Form 32B) to bring a witness before the court if,

- (a) the witness has been served as subrule (3) requires, but has not obeyed the summons; and
- (b) it is necessary to have the witness present in court or at a questioning.

INTERPROVINCIAL SUMMONS TO WITNESS

(8) A summons to a witness outside Ontario under the *Interprovincial Summonses Act* shall be in Form 23A.

SETTING ASIDE SUMMONS TO WITNESS

(9) The court may, on motion, order that a summons to witness be set aside.

ATTENDANCE OF A PRISONER

(10) If it is necessary to have a prisoner come to court or to be questioned, the court may order (Form 23B) the prisoner's custodian to deliver the prisoner on payment of the fee set out in the regulations under the *Administration of Justice Act*.

CALLING OPPOSING PARTY AS WITNESS

(11) A party who serves a summons under subrule (3) on an opposing party to come to court may call the opposing party as a witness and may cross-examine the opposing party.

OPPOSING PARTY DISOBEYING SUMMONS

(12) When an opposing party has been served with a summons under subrule (3), the court may make a final order in favour of the party calling the witness, adjourn the case or make any other appropriate order, including a contempt order, if the opposing party,

- (a) does not come to or remain in court as required by the summons; or

- (i) 5 \$, si la personne habite dans la ville où elle donne son témoignage,
- (ii) 30 cents le kilomètre aller-retour, si la personne habite ailleurs mais dans un rayon de 300 kilomètres du tribunal ou du lieu de l'interrogatoire,
- (iii) le tarif aérien le moins cher, plus 10 \$ par jour pour le stationnement à l'aéroport et 30 cents le kilomètre aller-retour entre sa résidence et l'aéroport et entre l'aéroport et le tribunal ou le lieu de l'interrogatoire, si la personne habite à 300 kilomètres ou plus du tribunal ou du lieu de l'interrogatoire;
- c) 100 \$ par nuit pour les repas et l'hébergement, si la personne n'habite pas dans la ville où se tient le procès et doit y passer la nuit.

DURÉE DE VALIDITÉ DE L'ASSIGNATION

(5) L'assignation de témoin est valide jusqu'à ce que la présence du témoin ne soit plus nécessaire.

ASSIGNATION EN VUE D'OBTENIR L'ORIGINAL D'UN DOCUMENT

(6) Si l'authenticité d'un document peut être établie au moyen d'une copie certifiée conforme, la partie qui veut qu'un témoin apporte l'original ne doit pas lui signifier d'assignation à cette fin sans la permission du tribunal.

INOBSERVATION D'UNE ASSIGNATION DE TÉMOIN

(7) Le tribunal peut décerner un mandat d'arrêt (formule 32B) pour amener un témoin devant le tribunal si :

- a) le témoin a reçu la signification qu'exige le paragraphe (3) mais n'a pas observé l'assignation;
- b) la présence du témoin est nécessaire au tribunal ou à un interrogatoire.

ASSIGNATIONS INTERPROVINCIALES DE TÉMOINS

(8) L'assignation d'un témoin de l'extérieur de l'Ontario prévue par la *Loi sur les assignations interprovinciales de témoins* est rédigée selon la formule 23A.

ANNULATION D'UNE ASSIGNATION DE TÉMOIN

(9) Le tribunal peut, sur motion, ordonner l'annulation d'une assignation de témoin.

COMPARUTION D'UN DÉTENU

(10) S'il est nécessaire qu'un détenu se présente au tribunal ou soit interrogé, le tribunal peut ordonner (formule 23B) à son gardien de l'amener, après paiement des droits fixés dans les règlements pris en application de la *Loi sur l'administration de la justice*.

ASSIGNATION DE LA PARTIE ADVERSE

(11) La partie qui signifie une assignation aux termes du paragraphe (3) à une partie adverse pour qu'elle se présente au tribunal peut l'appeler à témoigner et la contre-interroger.

INOBSERVATION DE L'ASSIGNATION PAR LA PARTIE ADVERSE

(12) Lorsqu'une partie adverse a reçu signification d'une assignation aux termes du paragraphe (3), le tribunal peut rendre une ordonnance définitive en faveur de la partie qui appelle le témoin, ajourner la cause ou rendre toute autre ordonnance appropriée, y compris une ordonnance pour outrage, si la partie adverse :

- a) soit ne se présente pas au tribunal ou n'y reste pas comme l'exige l'assignation;

- (b) refuses to be sworn or to affirm, to answer any proper question or to bring any document or thing named in the summons.

READING OPPOSING PARTY'S ANSWERS INTO EVIDENCE

(13) An answer or information given under rule 20 (questioning) by an opposing party may be read into evidence at trial if it is otherwise proper evidence, even if the opposing party has already testified at trial.

READING OTHER PERSON'S ANSWERS INTO EVIDENCE

(14) Subrule (13) also applies, with necessary changes, to an answer or information given by a person questioned on behalf of or in place of an opposing party, unless the trial judge orders otherwise.

USING ANSWERS—SPECIAL CIRCUMSTANCES

(15) Subrule (13) is subject to the following:

1. If the answer or information is being read into evidence to show that a witness's testimony at trial is not to be believed, answers or information given by the witness earlier must be put to the witness as sections 20 and 21 of the *Evidence Act* require.
2. At the request of an opposing party, the trial judge may direct the party reading the answer or information into evidence to read in, as well, any other answer or information that qualifies or explains what the party has read into evidence.
3. A special party's answer or information may be read into evidence only with the trial judge's permission.

REBUTTING ANSWERS

(16) A party who has read answers or information into evidence at trial may introduce other evidence to rebut the answers or information.

USING ANSWERS OF WITNESS NOT AVAILABLE FOR TRIAL

(17) The trial judge may give a party permission to read into evidence all or part of the answers or information given under rule 20 (questioning) by a person who is unable or unwilling to testify at the trial, but before doing so the judge shall consider,

- (a) the importance of the evidence;
- (b) the general principle that trial evidence should be given orally in court;
- (c) the extent to which the person was cross-examined; and
- (d) any other relevant factor.

TAKING EVIDENCE BEFORE TRIAL

(18) The court may order that a witness whose evidence is necessary at trial may give evidence before trial at a place and before a person named in the order, and then may accept the transcript as evidence.

TAKING EVIDENCE BEFORE TRIAL OUTSIDE ONTARIO

(19) If a witness whose evidence is necessary at trial lives outside Ontario, subrules 20 (14) and (15) (questioning person outside Ontario, commissioner's duties) apply, with necessary changes.

- (b) soit refuse de prêter serment ou de faire une affirmation solennelle, de répondre à une question légitime ou d'apporter un document ou une chose désignés dans l'assignation.

CONSIGNATION EN PREUVE DES RÉPONSES DE LA PARTIE ADVERSE

(13) Une réponse ou un renseignement que donne une partie adverse aux termes de la règle 20 (interrogatoire) peut être consigné en preuve au procès s'il constitue par ailleurs une preuve légitime, même si la partie adverse a déjà témoigné au procès.

CONSIGNATION EN PREUVE DES RÉPONSES D'AUTRES PERSONNES

(14) Le paragraphe (13) s'applique également, avec les adaptations nécessaires, à une réponse ou un renseignement que donne une personne interrogée au nom ou à la place d'une partie adverse, sauf ordonnance contraire du juge du procès.

UTILISATION DE RÉPONSES — CIRCONSTANCES PARTICULIÈRES

(15) Le paragraphe (13) est assujéti à ce qui suit :

1. Si la réponse ou le renseignement est consigné en preuve afin de montrer qu'il ne faut pas croire le témoignage d'un témoin, les réponses ou les renseignements qu'il a donnés plus tôt doivent lui être présentés comme l'exigent les articles 20 et 21 de la *Loi sur la preuve*.
2. À la demande d'une partie adverse, le juge du procès peut donner des directives pour que la partie qui consigne la réponse ou le renseignement en preuve consigne également les autres réponses ou renseignements qui nuancent ou expliquent ce qu'elle a consigné.
3. La réponse ou le renseignement d'une partie spéciale ne peut être consigné en preuve qu'avec la permission du juge du procès.

RÉFUTATION DE RÉPONSES

(16) La partie qui a consigné des réponses ou des renseignements en preuve au procès peut présenter d'autres preuves pour les réfuter.

UTILISATION DES RÉPONSES D'UN TÉMOIN QUI NE PEUT ÊTRE PRÉSENT AU PROCÈS

(17) Le juge du procès peut accorder à une partie la permission de consigner en preuve tout ou partie des réponses ou des renseignements donnés aux termes de la règle 20 (interrogatoire) par une personne qui ne peut témoigner au procès ou qui n'est pas disposée à le faire, mais le juge tient d'abord compte de ce qui suit :

- a) l'importance du témoignage;
- b) le principe général selon lequel les témoignages devraient être présentés oralement devant le tribunal;
- c) la mesure dans laquelle la personne a été contre-interrogée;
- d) les autres facteurs pertinents.

RÉCEPTION DE TÉMOIGNAGES AVANT LE PROCÈS

(18) Le tribunal peut ordonner qu'une personne dont le témoignage est nécessaire au procès puisse le donner avant celui-ci dans un lieu et devant une personne désignés dans l'ordonnance, après quoi le tribunal peut accepter la transcription comme témoignage.

RÉCEPTION DE TÉMOIGNAGES AVANT LE PROCÈS À L'EXTÉRIEUR DE L'ONTARIO

(19) Si une personne dont le témoignage est nécessaire au procès habite à l'extérieur de l'Ontario, les paragraphes 20 (14) et (15) (interrogation d'une personne de l'extérieur de l'Ontario, fonctions du commissaire) s'appliquent, avec les adaptations nécessaires.

EVIDENCE BY AFFIDAVIT OR ELECTRONIC RECORDING

(20) The court may allow a witness to give evidence at trial by affidavit or electronic recording if,

- (a) the parties consent;
- (b) the witness is ill or unavailable to come to court for some other good reason;
- (c) the evidence concerns minor or uncontroversial issues; or
- (d) it is in the interests of justice to do so.

CONDITIONS FOR USE OF AFFIDAVIT OR ELECTRONIC RECORDING

(21) Evidence at trial by affidavit or electronic recording may be used only if,

- (a) the use is in accordance with an order under subrule (20);
- (b) the evidence is served at least 14 days before the trial starts; and
- (c) the evidence would have been admissible if given by the witness in court.

AFFIDAVIT EVIDENCE AT UNCONTESTED TRIAL

(22) At an uncontested trial, evidence by affidavit in Form 23C may be used without an order under subrule (20), unless the court directs that oral evidence must be given.

EXPERT WITNESS REPORT SERVED BEFORE TRIAL

(23) A party who wants to call an expert witness at trial shall, at least 14 days before the trial starts, serve on all other parties and file a report that,

- (a) is signed by the expert;
- (b) sets out the expert's name, address and qualifications; and
- (c) summarizes the expert's proposed evidence.

FAILURE TO SERVE EXPERT WITNESS REPORT

(24) A party who has not followed subrule (23) may not call the expert witness unless the trial judge allows otherwise.

RULE 24: COSTS**SUCCESSFUL PARTY PRESUMED ENTITLED TO COSTS**

24. (1) There is a presumption that a successful party is entitled to the costs of a motion, enforcement, case or appeal.

NO PRESUMPTION IN CHILD PROTECTION CASE OR IF PARTY IS GOVERNMENT AGENCY

(2) The presumption does not apply in a child protection case or to a party who is a government agency.

COURT'S DISCRETION—COSTS FOR OR AGAINST GOVERNMENT AGENCY

(3) The court has discretion to award costs to or against a government agency, whether it is successful or unsuccessful.

TÉMOIGNAGES PAR AFFIDAVIT OU PAR ENREGISTREMENT ÉLECTRONIQUE

(20) Le tribunal peut autoriser une personne à témoigner à un procès par affidavit ou par enregistrement électronique si, selon le cas :

- a) les parties y consentent;
- b) le témoin est malade ou ne peut se présenter au tribunal pour une autre raison valable;
- c) le témoignage se rapporte à des questions mineures ou des questions qui ne prêtent pas à controverse;
- d) il est dans l'intérêt de la justice de le faire.

CONDITIONS D'UTILISATION D'UN TÉMOIGNAGE DONNÉ PAR AFFIDAVIT OU PAR ENREGISTREMENT ÉLECTRONIQUE

(21) Le témoignage donné par affidavit ou par enregistrement électronique lors d'un procès ne peut être utilisé que si les conditions suivantes sont réunies :

- a) il est utilisé conformément à une ordonnance rendue en vertu du paragraphe (20);
- b) il est signifié au moins 14 jours avant le début du procès;
- c) il aurait été admissible si le témoin l'avait donné devant le tribunal.

TÉMOIGNAGE PAR AFFIDAVIT LORS D'UN PROCÈS NON CONTESTÉ

(22) Lors d'un procès non contesté, le témoignage donné par affidavit rédigé selon la formule 23C peut être utilisé sans qu'une ordonnance soit rendue en vertu du paragraphe (20), sauf si le tribunal ordonne qu'un témoignage oral doit être donné.

SIGNIFICATION D'UN RAPPORT D'EXPERT AVANT LE PROCÈS

(23) Au moins 14 jours avant le début du procès, la partie qui veut appeler un expert à témoigner à un procès signifie aux autres parties et dépose un rapport :

- a) qui est signé par l'expert;
- b) qui indique les nom, adresse et qualités de l'expert;
- c) qui résume le témoignage que l'expert se propose de donner.

COMMISSION DE SIGNIFIER UN RAPPORT D'EXPERT

(24) La partie qui n'a pas observé le paragraphe (23) ne peut appeler l'expert à témoigner, à moins d'obtenir la permission du juge du procès.

RÈGLE 24 : DÉPENS**DROIT AUX DÉPENS DE LA PARTIE QUI A GAIN DE CAUSE**

24. (1) Il est présumé qu'une partie qui a gain de cause a droit aux dépens de la motion, de la procédure d'exécution, de la cause ou de l'appel.

ABSENCE DE PRÉSUMPTION — CAUSE PORTANT SUR LA PROTECTION D'UN ENFANT OU CAS OÙ LA PARTIE EST UN ORGANISME GOUVERNEMENTAL

(2) La présomption ne s'applique pas à une cause portant sur la protection d'un enfant ni à une partie qui est un organisme gouvernemental.

POUVOIR DISCRÉTIONNAIRE DU TRIBUNAL — DÉPENS DANS LE CAS D'UN ORGANISME GOUVERNEMENTAL

(3) Le tribunal a le pouvoir discrétionnaire d'adjuger les dépens à l'organisme gouvernemental ou de l'y condamner, qu'il ait ou non gain de cause.

SUCCESSFUL PARTY WHO HAS BEHAVED UNREASONABLY

(4) Despite subrule (1), a successful party who has behaved unreasonably during a case may be deprived of all or part of the party's own costs or ordered to pay all or part of the unsuccessful party's costs.

DECISION ON REASONABLENESS

(5) In deciding whether a party has behaved reasonably or unreasonably, the court shall examine,

- (a) the party's behaviour in relation to the issues from the time they arose, including whether the party made an offer to settle;
- (b) the reasonableness of any offer the party made; and
- (c) any offer the party withdrew or failed to accept.

DIVIDED SUCCESS

(6) If success in a step in a case is divided, the court may apportion costs as appropriate.

ABSENT OR UNPREPARED PARTY

(7) If a party does not appear at a step in the case, or appears but is not properly prepared to deal with the issues at that step, the court shall award costs against the party unless the court orders otherwise in the interests of justice.

BAD FAITH

(8) If a party has acted in bad faith, the court shall decide costs on a full recovery basis and shall order the party to pay them immediately.

COSTS CAUSED BY FAULT OF LAWYER OR AGENT

(9) If a party's lawyer or agent has run up costs without reasonable cause or has wasted costs, the court may, on motion or on its own initiative, after giving the lawyer or agent an opportunity to be heard,

- (a) order that the lawyer or agent shall not charge the client fees or disbursements for work specified in the order, and order the lawyer or agent to repay money that the client has already paid toward costs;
- (b) order the lawyer or agent to repay the client any costs that the client has been ordered to pay another party;
- (c) order the lawyer or agent personally to pay the costs of any party; and
- (d) order that a copy of an order under this subrule be given to the client.

COSTS TO BE DECIDED AT EACH STEP

(10) Promptly after each step in the case, the judge or other person who dealt with that step shall decide in a summary manner who, if any one, is entitled to costs, and set the amount of costs.

FACTORS IN COSTS

- (11) A person setting the amount of costs shall consider,
 - (a) the importance, complexity or difficulty of the issues;
 - (b) the reasonableness or unreasonableness of each party's behaviour in the case;

CONDUITE DÉRAISONNABLE DE LA PARTIE QUI A GAIN DE CAUSE

(4) Malgré le paragraphe (1), la partie qui a gain de cause mais qui s'est conduite de manière déraisonnable peut se voir priver de tout ou partie de ses dépens ou ordonner de payer tout ou partie des dépens de l'autre partie.

DÉCISION QUANT AU CARACTÈRE RAISONNABLE

(5) Lorsqu'il décide si une partie s'est conduite d'une manière raisonnable ou déraisonnable, le tribunal examine ce qui suit :

- a) la conduite de la partie en ce qui concerne les questions en litige à partir du moment où elles ont été soulevées, y compris la question de savoir si la partie a présenté une offre de règlement amiable;
- b) le caractère raisonnable de toute offre présentée par la partie;
- c) toute offre que la partie a retirée ou n'a pas acceptée.

PARTAGE DES DÉPENS

(6) Si plus d'une partie a gain de cause dans une étape d'une cause, le tribunal peut répartir les dépens selon ce qui est approprié.

PARTIE ABSENTE OU NON PRÉPARÉE

(7) Si une partie ne comparaît pas à une étape de la cause ou qu'elle comparaît mais n'est pas suffisamment préparée pour traiter les questions en litige à cette étape, le tribunal la condamne aux dépens, sauf s'il rend une ordonnance contraire dans l'intérêt de la justice.

MAUVAISE FOI

(8) Si une partie a agi de mauvaise foi, le tribunal fixe le montant des dépens de l'autre partie en fonction du recouvrement intégral de ses frais et lui ordonne de les payer immédiatement.

FRAIS CAUSÉS PAR L'AVOCAT OU LE REPRÉSENTANT

(9) Si l'avocat ou le représentant d'une partie a accumulé des frais sans motif raisonnable ou a engagé des frais inutilement, le tribunal peut, sur motion ou de sa propre initiative, après avoir donné à l'avocat ou au représentant la possibilité d'être entendu :

- a) ordonner à l'avocat ou au représentant de ne pas facturer au client les honoraires ou les débours pour le travail précisé dans l'ordonnance et lui ordonner de rembourser au client ce qu'il a déjà payé à l'égard des dépens;
- b) ordonner à l'avocat ou au représentant de rembourser au client les dépens que celui-ci a été condamné à payer à une autre partie;
- c) ordonner à l'avocat ou au représentant de payer les dépens de toute partie;
- d) ordonner qu'une copie d'une ordonnance rendue en vertu de la présente règle soit remise au client.

FIXATION DES DÉPENS APRÈS CHAQUE ÉTAPE

(10) Promptement après chaque étape de la cause, le juge ou l'autre personne qui s'est occupé de l'étape détermine de façon sommaire qui a droit aux dépens, le cas échéant, et en fixe le montant.

FACTEURS LIÉS AUX DÉPENS

(11) La personne qui fixe le montant des dépens tient compte de ce qui suit :

- a) l'importance, la complexité ou la difficulté des questions en litige;
- b) le caractère raisonnable ou déraisonnable de la conduite de chaque partie dans la cause;

- (c) the lawyer's rates;
- (d) the time properly spent on the case, including conversations between the lawyer and the party or witnesses, drafting documents and correspondence, attempts to settle, preparation, hearing, argument, and preparation and signature of the order;
- (e) expenses properly paid or payable; and
- (f) any other relevant matter.

PAYMENT OF EXPENSES

(12) The court may make an order that a party pay an amount of money to another party to cover part or all of the expenses of carrying on the case, including a lawyer's fees.

ORDER FOR SECURITY FOR COSTS

(13) A judge may, on motion, make an order for security for costs that is just, based on one or more of the following factors:

1. A party ordinarily resides outside Ontario.
2. A party has an order against the other party for costs that remains unpaid, in the same case or another case.
3. A party is a corporation and there is good reason to believe it does not have enough assets in Ontario to pay costs.
4. There is good reason to believe that the case is a waste of time or a nuisance and that the party does not have enough assets in Ontario to pay costs.
5. A statute entitles the party to security for costs.

AMOUNT AND FORM OF SECURITY

(14) The judge shall determine the amount of the security, its form and the method of giving it.

EFFECT OF ORDER FOR SECURITY

(15) Until the security has been given, a party against whom there is an order for security for costs may not take any step in the case, except to appeal from the order, unless a judge orders otherwise.

FAILURE TO GIVE SECURITY

(16) If the party does not give the security as ordered, a judge may, on motion, dismiss the party's case or strike out the party's answer or any other document filed by the party, and then subrule (15) no longer applies.

SECURITY MAY BE CHANGED

(17) The amount of the security, its form and the method of giving it may be changed by order at any time.

RULE 25: ORDERS

CONSENT ORDER

25. (1) If the parties agree, the court may make an order under these rules or an Act without having the parties or their lawyers come to court.

SUCCESSFUL PARTY PREPARES DRAFT ORDER

(2) The party in whose favour an order is made shall prepare a draft of the order (Form 25, 25A, 25B, 25C or 25D), unless the court orders otherwise.

- c) les honoraires de l'avocat;
- d) le temps consacré légitimement à la cause, y compris les conversations entre l'avocat et la partie ou les témoins, la rédaction des documents et de la correspondance, les tentatives de règlement amiable, la préparation, l'audition de la cause, les plaidoiries ainsi que la préparation et la signature de l'ordonnance;
- e) les dépenses payées ou à payer légitimement;
- f) les autres questions pertinentes.

PAIEMENT DES DÉPENSES

(12) Le tribunal peut rendre une ordonnance exigeant qu'une partie paie une somme à une autre partie pour couvrir tout ou partie des dépenses engagées pour conduire la cause, y compris les honoraires d'un avocat.

ORDONNANCE DE CAUTIONNEMENT POUR DÉPENS

(13) Le juge peut, sur motion, rendre une ordonnance de cautionnement pour dépens qui est équitable en se fondant sur un ou plusieurs des facteurs suivants :

1. La partie réside ordinairement à l'extérieur de l'Ontario.
2. La partie a obtenu, dans la même cause ou dans une autre, une ordonnance condamnant l'autre partie aux dépens et ceux-ci sont toujours impayés.
3. La partie est une société et il existe de bonnes raisons de croire qu'elle ne possède pas suffisamment d'éléments d'actif en Ontario pour payer les dépens.
4. Il existe de bonnes raisons de croire que la cause constitue une perte de temps ou a été introduite dans l'intention de causer des embêtements et que la partie ne possède pas suffisamment d'éléments d'actif en Ontario pour payer les dépens.
5. Une loi accorde à la partie le droit d'obtenir un cautionnement pour dépens.

MONTANT ET FORME DU CAUTIONNEMENT

(14) Le juge fixe le montant du cautionnement, sa forme et son mode de versement.

EFFET DE L'ORDONNANCE DE CAUTIONNEMENT

(15) Tant que le cautionnement n'est pas versé, la partie contre qui une ordonnance de cautionnement pour dépens a été rendue ne peut commencer une autre étape de la cause, à l'exception d'un appel de l'ordonnance, sauf ordonnance contraire du juge.

OMISSION DE VERSER LE CAUTIONNEMENT

(16) Si la partie ne verse pas le cautionnement ordonné, un juge peut, sur motion, rejeter sa cause ou radier sa défense ou tout autre document déposé par elle, auquel cas le paragraphe (15) ne s'applique plus.

MODIFICATION DU CAUTIONNEMENT

(17) Le montant du cautionnement, sa forme et son mode de versement peuvent être modifiés par ordonnance.

RÈGLE 25 : ORDONNANCES

ORDONNANCES SUR CONSENTEMENT

25. (1) Le tribunal peut, avec l'accord des parties, rendre une ordonnance en vertu des présentes règles ou d'une loi sans que les parties ou leurs avocats aient à se présenter au tribunal.

PRÉPARATION DU PROJET D'ORDONNANCE PAR LA PARTIE AYANT GAIN DE CAUSE

(2) Sauf ordonnance contraire du tribunal, la partie en faveur de laquelle une ordonnance est rendue prépare un projet d'ordonnance (formule 25, 25A, 25B, 25C ou 25D).

OTHER PARTY MAY PREPARE DRAFT ORDER

(3) If the party in whose favour an order is made does not have a lawyer or does not prepare a draft order within 10 days after the order is made, any other party may prepare the draft order, unless the court orders otherwise.

APPROVAL OF DRAFT ORDER

(4) A party who prepares an order shall serve a draft, for approval of its form and content, on every other party who was in court or was represented when the order was made (including a child who has a lawyer).

SETTLING CONTENTS OF DISPUTED ORDER

(5) Unless the court orders otherwise, a party who disagrees with the form or content of a draft order shall serve, on every party who was served under subrule (4) and on the party who served the draft order,

- (a) a notice disputing approval (Form 25E);
- (b) a copy of the order, redrafted as proposed; and
- (c) notice of a time and date at which the clerk will settle the order by telephone conference.

TIME AND DATE

(6) The time and date shall be set by the clerk and shall be within five days after service of the notice disputing approval.

DISPUTED ORDER—SETTLEMENT BY JUDGE

(7) If unable to settle the order at the telephone conference, the clerk shall, as soon as possible, refer the order to the judge who made it, to be settled at a further telephone conference, unless the judge orders the parties to come to court for settlement of the order.

NO APPROVAL REQUIRED IF NO RESPONSE FROM OTHER PARTY

(8) If no approval or notice disputing approval (Form 25E) is served within 10 days after the draft order is served for approval, it may be signed without approval.

NO APPROVAL REQUIRED FOR CERTAIN ORDERS

(9) If an order dismisses a motion, case or appeal, without costs, or is prepared by the clerk under subrule (11), it may be signed without approval.

NO APPROVAL REQUIRED IN EMERGENCIES

(10) If the delay involved in getting an order approved would have serious consequences, the judge who made it may sign it without approval.

WHEN CLERK PREPARES ORDER

- (11) The clerk shall prepare the order for signature,
 - (a) within 10 days after it is made, if no party has a lawyer;
 - (b) as soon as it is made,
 - (i) if it is a support deduction order under the *Family Responsibility and Support Arrears Enforcement Act, 1996*, or
 - (ii) if the judge directs the clerk to do so.

PRÉPARATION DU PROJET D'ORDONNANCE PAR UNE AUTRE PARTIE

(3) Sauf ordonnance contraire du tribunal, si la partie en faveur de laquelle une ordonnance est rendue n'a pas d'avocat ou ne prépare pas de projet d'ordonnance au plus tard 10 jours après que l'ordonnance est rendue, une autre partie peut s'en charger.

APPROBATION DU PROJET D'ORDONNANCE

(4) La partie qui prépare l'ordonnance signifie un projet, aux fins d'approbation de sa forme et de son contenu, à chacune des autres parties qui était présente au tribunal ou y était représentée lorsque l'ordonnance a été rendue (y compris un enfant qui a un avocat).

DÉCISION DU CONTENU D'UNE ORDONNANCE CONTESTÉE

(5) Sauf ordonnance contraire du tribunal, la partie qui n'est pas d'accord avec la forme ou le contenu d'un projet d'ordonnance signifie, à chacune des parties qui a reçu signification aux termes du paragraphe (4) et à la partie qui a signifié le projet :

- a) un avis de contestation de l'approbation (formule 25E);
- b) une copie de l'ordonnance, réécrite selon ce qu'elle propose;
- c) un avis de l'heure et de la date auxquelles le greffier décidera de l'ordonnance par conférence téléphonique.

HEURE ET DATE

(6) L'heure et la date sont fixées par le greffier et se situent dans les cinq jours qui suivent la signification de l'avis de contestation de l'approbation.

ORDONNANCE CONTESTÉE — DÉCISION DU JUGE

(7) S'il n'a pu décider de l'ordonnance lors de la conférence téléphonique, le greffier renvoie l'ordonnance, dès que possible, au juge qui l'a rendue afin qu'il en décide lors d'une autre conférence téléphonique, sauf si le juge ordonne aux parties de se présenter au tribunal à cette fin.

AUCUNE APPROBATION NÉCESSAIRE EN L'ABSENCE DE RÉPONSE D'UNE AUTRE PARTIE

(8) Si une approbation ou un avis de contestation de l'approbation (formule 25E) n'est pas signifié dans les 10 jours qui suivent la signification du projet d'ordonnance aux fins d'approbation, celui-ci peut être signé sans approbation.

AUCUNE APPROBATION NÉCESSAIRE POUR CERTAINES ORDONNANCES

(9) L'ordonnance qui rejette une motion, une cause ou un appel, sans dépens, ou qui est préparée par le greffier aux termes du paragraphe (11) peut être signée sans approbation.

AUCUNE APPROBATION NÉCESSAIRE EN SITUATION D'URGENCE

(10) Si le délai nécessaire pour obtenir l'approbation d'une ordonnance devait entraîner de graves conséquences, le juge qui a rendu l'ordonnance peut la signer sans approbation.

DÉLAI DANS LEQUEL LE GREFFIER PRÉPARE L'ORDONNANCE

- (11) Le greffier prépare l'ordonnance en vue de sa signature :
 - a) soit au plus tard 10 jours après qu'elle est rendue, si aucune partie n'a d'avocat;
 - b) soit dès que possible après qu'elle est rendue :
 - (i) s'il s'agit d'une ordonnance de retenue des aliments rendue en vertu de la *Loi de 1996 sur les obligations familiales et l'exécution des arriérés d'aliments*,
 - (ii) si le juge lui ordonne de le faire.

WHO SIGNS ORDER

(12) An order may be signed by the judge who made it or by the clerk.

SERVICE OF ORDER

(13) Unless the court orders otherwise, the person who prepared an order shall serve it, by regular service (subrule 6 (2)) or by mail, fax or electronic mail to the person's last known address,

- (a) on every other party, including a respondent to whom subrule 10 (5) (no notice to respondent) applies;
- (b) if a child involved in the case has a lawyer, on the lawyer; and
- (c) on any other person named by the court.

SUPPORT DEDUCTION ORDER NOT SERVED

(14) A support deduction order under the *Family Responsibility and Support Arrears Enforcement Act, 1996* does not have to be served.

SERVICE OF CROWN WARDSHIP ORDER

(15) An order for Crown wardship under Part III of the *Child and Family Services Act* shall be served on the following persons, in addition to the ones mentioned in subrule (13):

- 1. The child, if that Act requires notice to the child.
- 2. Any foster parent or other person who is entitled to notice under subsection 39 (3) of that Act.
- 3. A Director appointed under that Act.

SERVICE OF SECURE TREATMENT ORDER

(16) An order for secure treatment under Part VI of the *Child and Family Services Act* shall be served on the administrator of the secure treatment program, in addition to the persons mentioned in subrule (13).

SERVICE OF ADOPTION ORDER

(17) An adoption order shall be served on the following persons, in addition to the ones mentioned in subrule (13):

- 1. The adopted child, if the child gave consent under subsection 137 (6) of the *Child and Family Services Act*.
- 2. The persons mentioned in subsection 162 (3) of that Act.

EFFECTIVE DATE

(18) An order is effective from the date on which it is made, unless it states otherwise.

RULE 26: ENFORCEMENT OF ORDERS**WHERE TO ENFORCE AN ORDER**

26. (1) The place for enforcement of an order is governed by subrules 5 (5) and (6) (place for starting enforcement).

HOW TO ENFORCE AN ORDER

(2) An order that has not been obeyed may, in addition to any other method of enforcement provided by law, be enforced as provided by subrules (3) and (4).

SIGNATAIRE DE L'ORDONNANCE

(12) Une ordonnance peut être signée par le juge qui l'a rendue ou par le greffier.

SIGNIFICATION DE L'ORDONNANCE

(13) Sauf ordonnance contraire du tribunal, la personne qui a préparé l'ordonnance la signifie, par voie de signification ordinaire (paragraphe 6 (2)) ou par la poste, par télécopie ou par courrier électronique à la dernière adresse connue de la personne, aux destinataires suivants :

- a) les autres parties, y compris un intimé à qui s'applique le paragraphe 10 (5) (absence de préavis à l'intimé);
- b) si un enfant concerné par la cause a un avocat, l'avocat;
- c) toute autre personne que désigne le tribunal.

SIGNIFICATION NON OBLIGATOIRE D'UNE ORDONNANCE DE RETENUE DES ALIMENTS

(14) Il n'est pas nécessaire de signifier une ordonnance de retenue des aliments rendue en vertu de la *Loi de 1996 sur les obligations familiales et l'exécution des arriérés d'aliments*.

SIGNIFICATION D'UNE ORDONNANCE DE TUTELLE PAR LA COURONNE

(15) Une ordonnance de tutelle par la Couronne rendue en vertu de la partie III de la *Loi sur les services à l'enfance et à la famille* est signifiée aux personnes suivantes en plus de celles mentionnées au paragraphe (13) :

- 1. L'enfant, si cette loi exige qu'il soit avisé.
- 2. Le père ou la mère de famille d'accueil ou l'autre personne qui a droit à l'avis en vertu du paragraphe 39 (3) de cette loi.
- 3. Le directeur nommé aux termes de cette loi.

SIGNIFICATION D'UNE ORDONNANCE PORTANT SUR LE TRAITEMENT EN MILIEU FERMÉ

(16) Une ordonnance portant sur le traitement en milieu fermé rendue en vertu de la partie VI de la *Loi sur les services à l'enfance et à la famille* est signifiée à l'administrateur du programme en plus des personnes mentionnées au paragraphe (13).

SIGNIFICATION D'UNE ORDONNANCE D'ADOPTION

(17) Une ordonnance d'adoption est signifiée aux personnes suivantes en plus de celles mentionnées au paragraphe (13) :

- 1. L'enfant adopté, s'il a donné son consentement aux termes du paragraphe 137 (6) de la *Loi sur les services à l'enfance et à la famille*.
- 2. Les personnes mentionnées au paragraphe 162 (3) de cette loi.

DATE DE PRISE D'EFFET

(18) Une ordonnance, sauf disposition contraire, prend effet à compter de la date à laquelle elle est rendue.

RÈGLE 26 : EXÉCUTION DES ORDONNANCES**LIEU D'EXÉCUTION D'UNE ORDONNANCE**

26. (1) Le lieu d'exécution d'une ordonnance est régi par les paragraphes 5 (5) et (6) (lieu de déroulement des étapes de l'exécution).

MODE D'EXÉCUTION D'UNE ORDONNANCE

(2) L'ordonnance qui n'a pas été observée peut, en plus de tout autre moyen d'exécution prévu par la loi, être exécutée comme le prévoient les paragraphes (3) et (4).

PAYMENT ORDERS

- (3) A payment order may be enforced by,
 - (a) a request for a financial statement (subrule 27 (1));
 - (b) a request for disclosure from an income source (subrule 27 (7));
 - (c) a financial examination (subrule 27 (11));
 - (d) seizure and sale (rule 28);
 - (e) garnishment (rule 29);
 - (f) a default hearing (rule 30), if the order is a support order;
 - (g) the appointment of a receiver under section 101 of the *Courts of Justice Act*; and
 - (h) registration under section 42 of the *Family Responsibility and Support Arrears Enforcement Act, 1996*.

OTHER ORDERS

- (4) An order other than a payment order may be enforced by,
 - (a) a writ of temporary seizure of property (subrule 28 (10));
 - (b) a contempt order (rule 31); and
 - (c) the appointment of a receiver under section 101 of the *Courts of Justice Act*.

STATEMENT OF MONEY OWED

(5) A statement of money owed shall be in Form 26, with a copy of the order that is in default attached.

SPECIAL FORMS FOR STATEMENT OF MONEY OWED

- (6) Despite subrule (3),
 - (a) if the *Family Responsibility and Support Arrears Enforcement Act, 1996* applies, a statement of arrears in the form used by the Director may be used instead of Form 26;
 - (b) if the *Reciprocal Enforcement of Support Orders Act* applies, a document receivable under subsection 16 (4) of that Act may be used instead of Form 26.

RECIPIENT'S OR DIRECTOR'S ENTITLEMENT TO COSTS

(7) Unless the court orders otherwise, the recipient or the Director is entitled to the costs,

- (a) of carrying out a financial examination; and
- (b) of issuing, serving, filing and enforcing a writ of seizure and sale, a writ of temporary seizure and a notice of garnishment and of changing them by statutory declaration.

ENFORCEMENT OF ADMINISTRATIVE COSTS

(8) For the purpose of subrule (7), the recipient or the Director may collect under a writ of seizure and sale, a notice of garnishment or a statutory declaration changing either of them,

- (a) the amounts set out in the regulations under the *Administration of Justice Act* and awarded under rule 24 (costs) for filing and renewing with the sheriff a writ of seizure and sale or a writ of temporary seizure;

ORDONNANCES DE PAIEMENT

(3) Une ordonnance de paiement peut être exécutée par les moyens suivants :

- a) une demande d'état financier (paragraphe 27 (1));
- b) une demande d'état des revenus signifiée à une source de revenu (paragraphe 27 (7));
- c) un interrogatoire sur la situation financière (paragraphe 27 (11));
- d) une saisie-exécution (règle 28);
- e) une saisie-arrêt (règle 29);
- f) une audience sur le défaut (règle 30), s'il s'agit d'une ordonnance alimentaire;
- g) la nomination d'un séquestre en vertu de l'article 101 de la *Loi sur les tribunaux judiciaires*;
- h) un enregistrement en vertu de l'article 42 de la *Loi de 1996 sur les obligations familiales et l'exécution des arriérés d'aliments*.

AUTRES ORDONNANCES

(4) Une ordonnance autre qu'une ordonnance de paiement peut être exécutée par les moyens suivants :

- a) un bref de saisie temporaire de biens (paragraphe 28 (10));
- b) une ordonnance pour outrage (règle 31);
- c) la nomination d'un séquestre en vertu de l'article 101 de la *Loi sur les tribunaux judiciaires*.

ÉTAT DES SOMMES DUES

(5) Un état des sommes dues est rédigé selon la formule 26 et une copie de l'ordonnance qui fait l'objet du défaut y est jointe.

FORMULES SPÉCIALES POUR L'ÉTAT DES SOMMES DUES

- (6) Malgré le paragraphe (3) :
 - a) si la *Loi de 1996 sur les obligations familiales et l'exécution des arriérés d'aliments* s'applique, un état de l'arriéré rédigé selon la formule utilisée par le directeur peut être utilisée au lieu de la formule 26;
 - b) si la *Loi sur l'exécution réciproque d'ordonnances alimentaires* s'applique, un document recevable en vertu du paragraphe 16 (4) de cette loi peut être utilisé au lieu de la formule 26.

DROIT AUX DÉPENS DU BÉNÉFICIAIRE OU DU DIRECTEUR

(7) Sauf ordonnance contraire du tribunal, le bénéficiaire ou le directeur a droit aux dépens liés à ce qui suit :

- a) un interrogatoire sur la situation financière;
- b) la délivrance, la signification, le dépôt et l'exécution d'un bref de saisie-exécution, d'un bref de saisie temporaire et d'un avis de saisie-arrêt, ainsi que leur modification au moyen d'une déclaration solennelle.

EXÉCUTION DES FRAIS D'ADMINISTRATION

(8) Pour l'application du paragraphe (7), le bénéficiaire ou le directeur peut recouvrer les sommes suivantes en vertu d'un bref de saisie-exécution, d'un avis de saisie-arrêt ou d'une déclaration solennelle qui modifie l'un ou l'autre :

- a) les sommes prévues dans les règlements pris en application de la *Loi sur l'administration de la justice* et adjugées en vertu de la règle 24 (dépens) pour le dépôt et le renouvellement auprès du shérif d'un bref de saisie-exécution ou d'un bref de saisie temporaire;

- (b) payments made to a sheriff, clerk, official examiner, court reporter or other public officer in accordance with the regulations under the *Administration of Justice Act* and awarded under rule 24 (costs), on filing with the sheriff or clerk a copy of a receipt for each payment or an affidavit setting out the payments made; and
- (c) the actual expense for carrying out a financial examination, or any other costs to which the recipient or the Director is entitled under subrule (7), on filing with the sheriff or clerk an affidavit (Form 26A) setting out the items of expense in detail.

AFFIDAVIT FOR FILING DOMESTIC CONTRACT OR PATERNITY AGREEMENT

(9) An affidavit for filing a domestic contract or paternity agreement under subsection 35 (1) of the *Family Law Act* shall be in Form 26B.

DIRECTOR'S STATUS

(10) If the Director enforces an order under the *Family Responsibility and Support Arrears Enforcement Act, 1996*, anything in these rules relating to enforcement by the person in whose favour the order was made applies to the Director.

FILING AND REFILING WITH THE DIRECTOR

(11) A person who files or refiles a support order in the Director's office shall immediately mail notice of the filing to the clerk at any court office where the recipient is enforcing the order.

TRANSFERRING ENFORCEMENT FROM RECIPIENT TO DIRECTOR

(12) A recipient who files a support order in the Director's office shall, on the Director's request, assign to the Director any enforcement that the recipient has started, and then the Director may continue with the enforcement as if the Director had started it.

TRANSFERRING ENFORCEMENT FROM DIRECTOR TO RECIPIENT

(13) If the parties withdraw a support order from the Director's office, the Director shall, on the recipient's request, given to the Director at the same time as the notice of withdrawal, assign to the recipient any enforcement that the Director has started, and then the recipient may continue with the enforcement as if the recipient had started it.

NOTICE OF TRANSFER OF ENFORCEMENT

(14) A person who continues an enforcement under subrule (12) or (13) shall immediately mail a notice of transfer of enforcement (Form 26C) to,

- (a) all parties to the enforcement;
- (b) the clerk at every court office where the enforcement is being carried on; and
- (c) every sheriff who is involved with the enforcement at the time of transfer.

RULE 27: REQUIRING FINANCIAL INFORMATION

REQUEST FOR FINANCIAL STATEMENT

27. (1) If a payment order is in default, a recipient may serve a request for a financial statement (Form 27) on the payor.

- b) les paiements faits à un shérif, à un greffier, à un auditeur officiel, à un sténographe judiciaire ou à un autre fonctionnaire public conformément aux règlements pris en application de la *Loi sur les tribunaux judiciaires* et adjugés en vertu de la règle 24 (dépens), sur dépôt auprès du shérif ou du greffier d'une copie d'un reçu pour chaque paiement ou d'un affidavit indiquant les paiements effectués;
- c) les frais réels engagés pour procéder à un interrogatoire sur la situation financière ou les autres dépens auxquels le bénéficiaire ou le directeur a droit aux termes du paragraphe (7), sur dépôt auprès du shérif ou du greffier d'un affidavit (formule 26A) détaillant les articles de dépense.

AFFIDAVIT POUR LE DÉPÔT D'UN CONTRAT FAMILIAL OU D'UN ACCORD DE PATERNITÉ

(9) L'affidavit pour le dépôt d'un contrat familial ou d'un accord de paternité prévu au paragraphe 35 (1) de la *Loi sur le droit de la famille* est rédigé selon la formule 26B.

STATUT DU DIRECTEUR

(10) Si le directeur exécute une ordonnance aux termes de la *Loi de 1996 sur les obligations familiales et l'exécution des arriérés d'aliments*, toute disposition des présentes règles qui porte sur l'exécution par la personne en faveur de qui l'ordonnance a été rendue s'applique au directeur.

DÉPÔT ET NOUVEAU DÉPÔT AUPRÈS DU DIRECTEUR

(11) La personne qui dépose ou dépose de nouveau une ordonnance alimentaire au bureau du directeur envoie immédiatement par la poste un avis de dépôt au greffier de tout greffe où le bénéficiaire exécute l'ordonnance.

TRANSFERT DE L'EXÉCUTION DU BÉNÉFICIAIRE AU DIRECTEUR

(12) Le bénéficiaire qui dépose une ordonnance alimentaire au bureau du directeur cède à celui-ci, à sa demande, toute procédure d'exécution qu'il a commencée, auquel cas le directeur peut poursuivre la procédure comme s'il l'avait commencée.

TRANSFERT DE L'EXÉCUTION DU DIRECTEUR AU BÉNÉFICIAIRE

(13) Si les parties retirent une ordonnance alimentaire de son bureau, le directeur cède au bénéficiaire, à la demande de celui-ci présentée au directeur en même temps que l'avis de retrait, toute procédure d'exécution qu'il a commencée, auquel cas le bénéficiaire peut poursuivre la procédure comme s'il l'avait commencée.

AVIS DE TRANSFERT D'EXÉCUTION

(14) La personne qui poursuit une procédure d'exécution aux termes du paragraphe (12) ou (13) envoie immédiatement par la poste un avis de transfert d'exécution (formule 26C) aux personnes suivantes :

- a) les parties à l'exécution;
- b) le greffier de chaque greffe où s'effectue la procédure d'exécution;
- c) chaque shérif qui participe à la procédure au moment du transfert.

RÈGLE 27 : OBLIGATION DE FOURNIR DES RENSEIGNEMENTS FINANCIERS

DEMANDE D'ÉTAT FINANCIER

27. (1) En cas de défaut à l'égard d'une ordonnance de paiement, le bénéficiaire peut signifier une demande d'état financier (formule 27) au payeur.

ORDER FOR FINANCIAL STATEMENT

(5) The court may, on motion, order a payor to serve and file a financial statement.

FAILURE TO OBEY ORDER

(6) If the payor does not serve and file a financial statement within 10 days after being served with the order, the court may, on motion with special service (subrule 6 (3)), order that the payor be imprisoned continuously or intermittently for not more than 40 days.

REQUEST FOR STATEMENT OF INCOME FROM INCOME SOURCE

(7) If a payment order is in default, the recipient may serve a request for a statement of income (Form 27A) on an income source of the payor, requiring the income source to prepare and mail to the recipient a statement of income (Form 27B).

FREQUENCY OF REQUESTS FOR STATEMENT OF INCOME

(8) A recipient may request a statement of income from an income source only once in a six-month period, unless the court gives the recipient permission to do so more often.

ORDER FOR STATEMENT OF INCOME

(9) The court may, on the recipient's motion, order an income source to serve and file a statement of income.

INCOME SOURCE'S FAILURE TO OBEY ORDER

(10) If the income source does not serve and file a statement of income within 10 days after being served with the order, the court may, on the recipient's motion, order the income source to post a bond (Form 32).

APPOINTMENT FOR FINANCIAL EXAMINATION

(11) If a payment order is in default, the recipient may serve on the payor, by special service (subrule 6 (3)), an appointment for a financial examination (Form 27C), requiring the payor to,

- (a) come to a financial examination;
- (b) bring to the examination any document or thing named in the appointment that is in the payor's control or available to the payor on request, relevant to the enforcement of the order, and not protected by a legal privilege; and
- (c) serve a financial statement (Form 13) on the recipient, not later than seven days before the date of the examination.

FINANCIAL EXAMINATION OF PERSON OTHER THAN PAYOR

(12) If a payment order is in default and a person other than the payor may know about the matters listed in subrule (17), the recipient may require that person to come to a financial examination by serving a summons to witness (Form 23) and the witness fee (subrule 23 (4)) on the person by special service (subrule 6 (3)).

PLACE WHERE FINANCIAL EXAMINATION HELD

- (13) A financial examination shall be held,
 - (a) in a place where the parties and the person to be examined agree;

ORDONNANCE DE DÉPÔT D'UN ÉTAT FINANCIER

(5) Le tribunal peut, sur motion, ordonner au payeur de signifier et de déposer un état financier.

INOBSERVATION DE L'ORDONNANCE

(6) Si le payeur ne signifie ni ne dépose d'état financier au plus tard 10 jours après que l'ordonnance lui est signifiée, le tribunal peut, sur motion présentée par voie de signification spéciale (paragraphe 6 (3)), ordonner son emprisonnement de façon continue ou intermittente pour une période ne dépassant pas 40 jours.

DEMANDE D'ÉTAT DES REVENUS À UNE SOURCE DE REVENU

(7) En cas de défaut à l'égard d'une ordonnance de paiement, le bénéficiaire peut signifier une demande d'état des revenus (formule 27A) à une source de revenu du payeur lui enjoignant de préparer un état des revenus (formule 27B) et de le lui envoyer par la poste.

FREQUENCE DES DEMANDES D'ÉTATS DES REVENUS

(8) Le bénéficiaire peut demander un état des revenus à une source de revenu une fois par période de six mois, à moins que le tribunal ne lui accorde la permission de le faire plus souvent.

ORDONNANCE DE DÉPÔT D'UN ÉTAT DES REVENUS

(9) Le tribunal peut, sur motion présentée par le bénéficiaire, ordonner à une source de revenu de signifier et de déposer un état des revenus.

INOBSERVATION DE L'ORDONNANCE PAR LA SOURCE DE REVENU

(10) Si la source de revenu ne signifie ni ne dépose d'état des revenus au plus tard 10 jours après que l'ordonnance lui est signifiée, le tribunal peut, sur motion présentée par le bénéficiaire, lui ordonner de fournir un cautionnement (formule 32).

CONVOCATION À UN INTERROGATOIRE SUR LA SITUATION FINANCIÈRE

(11) En cas de défaut à l'égard d'une ordonnance de paiement, le bénéficiaire peut signifier au payeur, par voie de signification spéciale (paragraphe 6 (3)), une convocation à un interrogatoire sur la situation financière (formule 27C) lui enjoignant :

- a) de se présenter à un interrogatoire sur sa situation financière;
- b) d'apporter tout document ou toute chose que précise la convocation et qui est sous le contrôle du payeur ou à sa disposition sur demande, qui se rapporte à l'exécution de l'ordonnance et qui n'est pas protégé par un privilège juridique;
- c) de signifier un état financier (formule 13) au bénéficiaire au plus tard sept jours avant la date de l'interrogatoire.

INTERROGATOIRE SUR LA SITUATION FINANCIÈRE D'UNE PERSONNE AUTRE QUE LE PAYEUR

(12) En cas de défaut à l'égard d'une ordonnance de paiement et lorsqu'il est possible qu'une personne autre que le payeur soit au courant des questions mentionnées au paragraphe (17), le bénéficiaire peut courir des questions mentionnées au paragraphe (17), le bénéficiaire peut obliger cette personne à se présenter à un interrogatoire sur sa situation financière en lui signifiant, par voie de signification spéciale (paragraphe 6 (3)), une assignation de témoin (formule 23) accompagnée de l'indemnité de témoin (paragraphe 23 (4)).

LIEU DE L'INTERROGATOIRE SUR LA SITUATION FINANCIÈRE

- (13) L'interrogatoire sur la situation financière se tient, selon le cas :
 - a) à l'endroit dont conviennent les parties et la personne à interroger;

- (b) where the person to be examined lives in Ontario, in the municipality where the person lives; or
- (c) in a place chosen by the court.

OTHER RULES APPLY

(14) Subrules 19 (4), (5) and (8) (documents protected by legal privilege, use of privileged documents, documents omitted from affidavit) and 23 (7) (failure to obey summons) apply to a financial examination, with necessary changes.

NOTICE OF TIME AND PLACE OF EXAMINATION

(15) A payor who is served with an appointment or a person who is served with a summons for a financial examination shall have at least 10 days' notice of the time and place of the examination.

BEFORE WHOM EXAMINATION IS HELD, METHOD OF RECORDING

(16) A financial examination shall be held under oath or affirmation, before a person chosen by agreement of the payor and recipient or in accordance with subrule 20 (12) (other arrangements for questioning), and shall be recorded by a method chosen in the same way.

SCOPE OF EXAMINATION

(17) On a financial examination, the payor or other person may be questioned about,

- (a) the reason for the payor's default;
- (b) the payor's income and property;
- (c) the debts owed to and by the payor;
- (d) the disposal of any property by the payor either before or after the making of the order that is in default;
- (e) the payor's past, present and future ability to pay under the order;
- (f) whether the payor intends to obey the order, and any reason for not doing so; and
- (g) any other matter relevant to the enforcement of the order.

RESISTANCE TO EXAMINATION

(18) Subrule (19) applies if a payor who is served with an appointment or a person who is served with a summons for a financial examination,

- (a) does not come to the examination as required by the appointment or summons;
- (b) does not serve on the recipient a financial statement as required by the appointment;
- (c) comes to the examination, but does not bring a document or thing named in the appointment or summons; or
- (d) comes to the examination, but refuses to take an oath or affirm or to answer a question.

ORDER FOR ANOTHER EXAMINATION

(19) The court may, on motion, make an order and give directions for another financial examination of the payor or other person and may in addition require the payor or person to post a bond (Form 32).

- b) si la personne à interroger habite en Ontario, dans la municipalité où elle habite;
- c) à l'endroit que choisit le tribunal.

AUTRES RÈGLES APPLICABLES

(14) Les paragraphes 19 (4), (5) et (8) (documents protégés par un privilège juridique, utilisation de documents protégés, documents non mentionnés dans l'affidavit) et 23 (7) (inobservation d'une assignation de témoin) s'appliquent, avec les adaptations nécessaires, à l'interrogatoire sur la situation financière.

AVIS DES DATE, HEURE ET LIEU DE L'INTERROGATOIRE

(15) Le payeur à qui est signifiée une convocation à un interrogatoire sur sa situation financière ou la personne à qui est signifiée une assignation à témoigner à un tel interrogatoire reçoit un préavis d'au moins 10 jours des date, heure et lieu de l'interrogatoire.

TENUE ET ENREGISTREMENT DE L'INTERROGATOIRE

(16) L'interrogatoire sur la situation financière se fait sous serment ou affirmation solennelle en présence d'une personne choisie avec l'accord du payeur et du bénéficiaire ou conformément au paragraphe 20 (12) (autres dispositions pour l'interrogatoire), et il est enregistré par une méthode choisie de la même façon.

PORTÉE DE L'INTERROGATOIRE

(17) Au cours de l'interrogatoire sur la situation financière, le payeur ou l'autre personne peut être interrogé sur ce qui suit :

- a) la raison pour laquelle le payeur est en défaut;
- b) le revenu et les biens du payeur;
- c) les créances et les dettes du payeur;
- d) toute disposition de biens par le payeur avant ou après le prononcé de l'ordonnance à l'égard de laquelle il est en défaut;
- e) la capacité passée, actuelle et future du payeur d'effectuer les paiements prévus par l'ordonnance;
- f) la question de savoir si le payeur a l'intention d'observer l'ordonnance ou les raisons pour lesquelles il ne le fera pas, le cas échéant;
- g) toute autre question se rapportant à l'exécution de l'ordonnance.

RÉSISTANCE À L'INTERROGATOIRE

(18) Le paragraphe (19) s'applique si le payeur à qui est signifiée une convocation à un interrogatoire sur sa situation financière ou la personne à qui est signifiée une assignation à témoigner à un tel interrogatoire :

- a) soit ne se présente pas à l'interrogatoire comme l'exige la convocation ou l'assignation;
- b) soit ne signifie pas au bénéficiaire un état financier comme l'exige la convocation;
- c) soit se présente à l'interrogatoire, mais n'apporte pas les documents ou choses que précise la convocation ou l'assignation;
- d) soit se présente à l'interrogatoire, mais refuse de prêter serment, de faire une affirmation solennelle ou de répondre à une question.

NOUVEL INTERROGATOIRE

(19) Le tribunal peut, sur motion, rendre une ordonnance et donner des directives enjoignant au payeur ou à l'autre personne de se présenter à un autre interrogatoire sur sa situation financière et peut également l'obliger à fournir un cautionnement (formule 32).

IMPRISONMENT

(20) If a payor or other person, without sufficient excuse, fails to obey an order or direction made under subrule (19), the court may, on motion with special service (subrule 6 (3)), order that the payor or person be imprisoned continuously or intermittently for not more than 40 days.

IMPRISONMENT POWER IS ADDITIONAL

(21) The court may exercise its power under subrule (20) in addition to or instead of its power of forfeiture under rule 32 (bonds, recognizances and warrants).

FREQUENCY OF EXAMINATIONS

(22) A recipient may conduct only one financial examination of a payor and one financial examination of any other person in a six-month period, or more often with the court's permission.

RULE 28: SEIZURE AND SALE**ISSUE OF WRIT OF SEIZURE AND SALE**

28. (1) The clerk shall issue a writ of seizure and sale (Form 28) if a recipient files,

(a) a request for a writ of seizure and sale (Form 28A); and

(b) a statement of money owed (subrule 26 (3)).

STATUTORY DECLARATION TO CHANGE AMOUNT OWED

(2) The statutory declaration to sheriff mentioned in section 44 of the *Family Responsibility and Support Arrears Enforcement Act, 1996* shall be in Form 28B.

STATUTORY DECLARATION IF ORDER CHANGED

(3) If a court changes a payment order that is being enforced by a writ of seizure and sale, a statutory declaration to sheriff (Form 28B) may be filed with the sheriff and once filed, it has the same effect as a declaration mentioned in subrule (2).

DURATION OF WRIT

(4) A writ of seizure and sale continues in effect until,

(a) the recipient withdraws it under subrule (7), whether because no money owed when the writ was issued or mentioned in a statutory declaration under subrule (2) or (3) remains owing or for some other reason; or

(b) the court orders otherwise under subrule (8).

WRIT ISSUED UNDER FORMER RULES

(5) A writ directing the sheriff to seize and sell a payor's property that was issued by the court under the rules that applied before these rules take effect shall be treated in every way as if it were a writ of seizure and sale issued under these rules.

NOTIFYING SHERIFF OF PAYMENT RECEIVED

(6) If a writ of seizure and sale has been filed with a sheriff,

(a) the recipient shall, on the sheriff's request, provide a statutory declaration setting out details of all payments received by or on behalf of the recipient; and

(b) the sheriff shall update the writ accordingly.

EMPRISONNEMENT

(20) Si le payeur ou l'autre personne n'observe pas, sans motif valable, une ordonnance rendue ou une directive donnée en vertu du paragraphe (19), le tribunal peut, sur motion signifiée par voie de signification spéciale (paragraphe 6 (3)), ordonner son emprisonnement de façon continue ou intermittente pour une période ne dépassant pas 40 jours.

POUVOIR SUPPLÉMENTAIRE

(21) Le tribunal peut exercer le pouvoir que lui confère le paragraphe (20) en plus ou au lieu du pouvoir de confiscation que lui confère la règle 32 (cautionnements, engagements et mandats).

FRÉQUENCE DES INTERROGATOIRES

(22) Le bénéficiaire peut procéder à un interrogatoire sur la situation financière d'un payeur et d'une autre personne une seule fois par période de six mois, ou plus souvent avec la permission du tribunal.

RÈGLE 28 : SAISIE-EXÉCUTION**BREF DE SAISIE-EXÉCUTION**

28. (1) Le greffier délivre un bref de saisie-exécution (formule 28) lorsqu'un bénéficiaire dépose :

a) d'une part, une demande de bref de saisie-exécution (formule 28A);

b) d'autre part, un état des sommes dues (paragraphe 26 (3)).

DÉCLARATION SOLENNELLE POUR MODIFIER LES SOMMES DUES

(2) La déclaration solennelle à déposer devant le shérif qui est mentionnée à l'article 44 de la *Loi de 1996 sur les obligations familiales et l'exécution des arriérés d'aliments* est rédigée selon la formule 28B.

DÉCLARATION SOLENNELLE EN CAS DE MODIFICATION D'UNE ORDONNANCE

(3) Si le tribunal modifie une ordonnance de paiement qui est exécutée par un bref de saisie-exécution, une déclaration solennelle (formule 28B) peut être déposée auprès du shérif, après quoi elle a le même effet que la déclaration mentionnée au paragraphe (2).

DURÉE DU BREF

(4) Le bref de saisie-exécution demeure en vigueur jusqu'au moment où :

a) soit le bénéficiaire le retire aux termes du paragraphe (7), que ce soit parce que la somme qui était due au moment de la délivrance du bref ou qui est précisée dans la déclaration solennelle prévue au paragraphe (2) ou (3) demeure impayée ou pour une autre raison;

b) soit le tribunal ordonne autrement en vertu du paragraphe (8).

BREF DÉLIVRÉ AUX TERMES DES RÈGLES ANTÉRIEURES

(5) Le bref qui ordonne au shérif de saisir-exécuter les biens du payeur et que le tribunal a délivré aux termes des règles qui s'appliquaient avant l'entrée en vigueur des présentes règles est traité à tous égards comme il s'agissait d'un bref de saisie-exécution délivré aux termes de celles-ci.

REMISE DE L'AVIS DE PAIEMENT AU SHÉRIF

(6) Si un bref de saisie-exécution est déposé auprès du shérif :

a) le bénéficiaire dépose, à la demande du shérif, une déclaration solennelle dans laquelle il donne des précisions sur tous les paiements reçus par lui ou en son nom;

b) le shérif modifie le bref en conséquence.

WITHDRAWING WRIT

(7) The person who obtained a writ to enforce an order shall immediately withdraw it from every sheriff's office where it has been filed if,

- (a) the person no longer wants to enforce the order by a writ;
- (b) in the case of a payment order, the payor's obligation to make periodic payments under the order has ended and all other amounts owing under it have been paid; or
- (c) in the case of any other order, the person against whom the writ was issued has obeyed the order.

ORDER CHANGING, WITHDRAWING OR SUSPENDING WRIT

(8) The court may, on motion, make an order changing the terms of a writ, withdrawing it or temporarily suspending it, even if the writ was issued by another court in Ontario.

SERVICE OF ORDER

(9) The person making the motion, or another person named by the court, shall serve a copy of the order on,

- (a) every sheriff in whose office the writ has been filed; and
- (b) if the writ was issued by the court in another place, or by another court, on the clerk of the court in the other place or the clerk of the other court.

WRIT OF TEMPORARY SEIZURE OF PROPERTY

(10) The court may, on motion with special service (subrule 6 (3)), give permission to issue a writ of temporary seizure (Form 28C) directing the sheriff to take possession of and hold all or part of the land and other property of a person against whom an order has been made and to hold any income from the property until the person obeys the order.

RULE 29: GARNISHMENT**ISSUE OF NOTICE OR NOTICES OF GARNISHMENT**

29. (1) The clerk shall issue as many notices of garnishment (Form 29A or 29B) as a recipient requests if the recipient files,

- (a) a request for garnishment (Form 29) or an extra-provincial garnishment process referred to in section 50 of the *Family Responsibility and Support Arrears Enforcement Act, 1996*; and
- (b) a statement of money owed (subrule 26 (5)).

ONE RECIPIENT AND ONE GARNISHEE PER NOTICE

(2) Each notice of garnishment shall name only one recipient and one garnishee.

SERVICE ON PAYOR AND GARNISHEE

(3) The notice of garnishment shall be served on the payor and on the garnishee but the payor shall, in addition, be served with the documents filed under subrule (1).

EFFECT OF NOTICE OF GARNISHMENT

- (4) A notice of garnishment attaches,
- (a) every debt that is payable by the garnishee to the payor at the time the notice is served; and
- (b) every debt that is payable by the garnishee to the payor,

RETRAIT D'UN BREF

(7) La personne qui a obtenu un bref d'exécution d'une ordonnance le retire immédiatement de tout bureau de shérif où elle l'a déposé lorsque l'une des situations suivantes se présente :

- a) elle ne désire plus faire exécuter l'ordonnance au moyen d'un bref;
- b) dans le cas d'une ordonnance de paiement, l'obligation du payeur d'effectuer des paiements périodiques aux termes de l'ordonnance a pris fin et toutes les autres sommes dues aux termes de celle-ci ont été payées;
- c) dans le cas d'une autre ordonnance, la personne contre qui le bref a été délivré a observé celle-ci.

ORDONNANCE VISANT À MODIFIER, À RETIRER OU À SUSPENDRE UN BREF

(8) Le tribunal peut, sur motion, rendre une ordonnance modifiant les conditions d'un bref, le retirant ou le suspendant temporairement même s'il a été délivré par un autre tribunal de l'Ontario.

SIGNIFICATION DE L'ORDONNANCE

(9) La personne qui présente la motion ou l'autre personne que désigne le tribunal signifie une copie de l'ordonnance :

- a) à chaque shérif dans le bureau duquel le bref a été déposé;
- b) s'il a été délivré par le tribunal d'un autre endroit ou un autre tribunal, au greffier du tribunal de l'autre endroit ou de l'autre tribunal.

BREF DE SAISIE TEMPORAIRE DE BIENS

(10) Le tribunal peut, sur motion présentée par voie de signification spéciale (paragraphe 6 (3)), accorder la permission de délivrer un bref de saisie temporaire (formule 28C) ordonnant au shérif de prendre possession de tout ou partie des biens-fonds et autres biens de la personne contre qui une ordonnance a été rendue et de les détenir ainsi que tout revenu provenant d'eux jusqu'à ce que la personne observe l'ordonnance.

RÈGLE 29 : SAISIE-ARRÊT**DÉLIVRANCE D'AVIS DE SAISIE-ARRÊT**

29. (1) Le greffier délivre autant d'avis de saisie-arrêt (formule 29A ou 29B) que lui demande le bénéficiaire qui dépose :

- a) d'une part, une demande de saisie-arrêt (formule 29) ou une demande de bref de saisie-arrêt extraprovincial mentionnée à l'article 50 de la *Loi de 1996 sur les obligations familiales et l'exécution des arriérés d'aliments*;
- b) d'autre part, un état des sommes dues (paragraphe 26 (5)).

UN BÉNÉFICIAIRE ET UN TIERS SAISI PAR AVIS

(2) Chaque avis de saisie-arrêt désigne un seul bénéficiaire et un seul tiers saisi.

SIGNIFICATION AU PAYEUR ET AU TIERS SAISI

(3) L'avis de saisie-arrêt est signifié au payeur et au tiers saisi. Toutefois, le payeur reçoit également signification des documents déposés aux termes du paragraphe (1).

EFFET DE L'AVIS DE SAISIE-ARRÊT

- (4) L'avis de saisie-arrêt vise :
- a) d'une part, chaque dette dont le tiers saisi est redevable au payeur au moment de la signification de l'avis;
- b) d'autre part, chaque dette dont le tiers saisi est redevable au payeur :

- (i) after the notice is served, or
- (ii) on the fulfilment of a condition after the notice is served.

DURATION

(5) The notice of garnishment continues in effect from the time of service on the garnishee until it is withdrawn or stopped under this rule or until the court orders otherwise under this rule.

GARNISHEE BANK, TRUST COMPANY, ETC.

(6) If the garnishee is a bank, trust corporation, loan corporation, credit union, caisse populaire, the Province of Ontario Savings Office or a similar institution,

- (a) the notice of garnishment shall be served at the branch where the debt to the payor is payable; and
- (b) subrules (4) and (5) do not apply to money in an account opened after the notice of garnishment is served.

JOINT DEBTS GARNISHABLE

(7) Subrules (4) and (5) also apply to debts owed to the payor and another person jointly.

PROCEDURE WHEN JOINT DEBT GARNISHED

(8) If a garnishee has been served with a notice of garnishment and the garnishee owes a debt to which subrules (4) and (5) apply to the payor and another person jointly,

- (a) the garnishee shall pay, in accordance with subrule (11), half of the debt, or the larger or smaller amount that the court orders;
- (b) the garnishee shall immediately send the other person a notice to co-owner of debt (Form 29C) by mail, fax or electronic mail, to the person's address in the garnishee's records; and
- (c) the garnishee shall immediately serve the notice to co-owner of debt on the recipient or the Director, depending on who is enforcing the order, and on the sheriff or clerk if the sheriff or clerk is to receive the money under subrule (11) or (12).

JOINT DEBT—MONEY TO BE HELD

(9) Despite subrule (12), if served with notice under clause (8) (c), the sheriff, clerk or Director shall hold the money received for 30 days, and may pay it out when the 30 days expire, unless the other person serves and files a dispute within the 30 days.

PAYMENT OF ARREARS DOES NOT END GARNISHMENT

(10) A notice of garnishment continues to attach future periodic payments even though the total amount owed when it was served is fully paid up.

PERSONS TO WHOM GARNISHEE MAKES PAYMENTS

(11) A garnishee who has been served with a notice of garnishment shall make the required payments to,

- (a) the Director, if the notice of garnishment relates to an order being enforced by the Director;
- (b) the clerk, if the notice of garnishment does not relate to an order being enforced by the Director.

CLERK OR DIRECTOR TO PAY OUT MONEY

(12) On receiving money under a notice of garnishment, the Director or clerk shall, even if a dispute has been filed, but subject to subrules (9) and (13), immediately pay,

- (i) soit après la signification de l'avis,
- (ii) soit à la réalisation d'une condition après la signification de l'avis.

DURÉE

(5) L'avis de saisie-arrêt est en vigueur depuis sa signification jusqu'à son retrait ou sa suspension ou jusqu'à ce que le tribunal ordonne autrement en vertu de la présente règle.

BANQUES, SOCIÉTÉS DE FIDUCIE ET AUTRES INSTITUTIONS

(6) Si le tiers saisi est une banque, une société de fiducie ou de prêt, une *credit union*, une caisse populaire, la Caisse d'épargne de l'Ontario ou une institution semblable :

- a) l'avis de saisie-arrêt est signifié à la succursale où la créance est exigible;
- b) les paragraphes (4) et (5) ne s'appliquent pas aux sommes se trouvant dans un compte qui est ouvert après la signification de l'avis.

CRÉANCES CONJOINTES SAISSABLES

(7) Les paragraphes (4) et (5) s'appliquent également aux créances exigibles conjointement par le payeur et une autre personne.

SAISIE DE CRÉANCES CONJOINTES SAISSABLES

(8) Si le tiers saisi a reçu signification d'un avis de saisie-arrêt et que la créance à laquelle s'appliquent les paragraphes (4) et (5) est exigible conjointement par le payeur et une autre personne :

- a) le tiers saisi paie, conformément au paragraphe (11), la moitié de la dette ou la somme supérieure ou inférieure que fixe le tribunal;
- b) le tiers saisi envoie immédiatement à l'autre personne un avis aux cotitulaires de créances (formule 29C), par la poste, par télécopie ou par courrier électronique, à l'adresse figurant dans ses dossiers;
- c) le tiers saisi signifie immédiatement l'avis au cotitulaire de la créance au bénéficiaire ou au directeur, selon celui des deux qui exécute l'ordonnance, ainsi qu'au shérif ou au greffier, si l'un ou l'autre doit recevoir la somme prévue au paragraphe (11) ou (12).

CRÉANCE CONJOINTE — CONSERVATION DES SOMMES REÇUES

(9) Malgré le paragraphe (12), le shérif, le greffier ou le directeur à qui est signifié l'avis prévu à l'alinéa (8) c) conserve la somme reçue pendant 30 jours. Il peut la verser après l'expiration de ce délai, sauf si l'autre personne signifie et dépose une contestation entre-temps.

NON-ANNULATION DE LA SAISIE-ARRÊT

(10) L'avis de saisie-arrêt vise les paiements périodiques futurs même si la créance totale au moment de la signification de l'avis a été payée en entier.

DESTINATAIRES DES PAIEMENTS

(11) Le tiers saisi qui a reçu signification d'un avis de saisie-arrêt fait les paiements exigés :

- a) au directeur, si l'avis de saisie-arrêt se rapporte à une ordonnance qu'exécute le directeur;
- b) au greffier, si l'avis de saisie-arrêt ne se rapporte pas à une ordonnance qu'exécute le directeur.

VERSEMENT PAR LE GREFFIER OU LE DIRECTEUR

(12) Lorsqu'il reçoit une somme aux termes d'un avis de saisie-arrêt et même si une contestation a été déposée, le directeur ou le greffier, sous réserve des paragraphes (9) et (13), fait immédiatement ce qui suit :

- (a) to the recipient, any part of the money that comes within the priority created by subsection 4 (1) of the *Creditors' Relief Act*; and
- (b) to the sheriff, any part of the money that exceeds that priority.

ORDER THAT SUBRULE (12) DOES NOT APPLY

(13) The court may, at a garnishment hearing or on a motion to change the garnishment under this rule, order that subrule (12) does not apply.

CHANGE IN GARNISHMENT, INDEXED SUPPORT

(14) If a notice of garnishment enforces a support order that indexes periodic payments for inflation, the recipient may serve on the garnishee and on the payor a statutory declaration of indexed support (Form 29D) setting out the new amount to be paid under the order, and file the declaration with the court.

EFFECT OF STATUTORY DECLARATION OF INDEXED SUPPORT

(15) A statutory declaration of indexed support requires the garnishee to pay the new amount set out in the declaration from the time it is served on the garnishee.

GARNISHMENT DISPUTE

(16) Within 10 days after being served with a notice of garnishment or a statutory declaration of indexed support, a payor, garnishee or co-owner of a debt may serve on the other parties and file a dispute (Form 29E, 29F or 29G).

NOTICE OF GARNISHMENT HEARING

(17) The clerk shall, on request, issue a notice of garnishment hearing (Form 29H),

- (a) within 10 days after a dispute is served and filed; or
- (b) if the recipient says that the garnishee has not paid any money or has not paid enough money.

SERVICE OF NOTICE

(18) The clerk shall serve and file the notice not later than 10 days before the hearing.

GARNISHMENT HEARING

(19) At a garnishment hearing, the court may make one or more of the following temporary or final orders:

1. An order dismissing the dispute.
2. An order that changes how much is being garnished on account of a periodic payment order and that, at the same time, changes the payment order itself. However, the court may exercise this power only if,
 - i. the payment order is one that the court has the authority to change, and
 - ii. the parties to the payment order agree to the change, or one of those parties has served and filed notice of a motion to have the change made.
3. An order changing how much is being garnished on account of a non-periodic payment order.
4. An order suspending the garnishment or any term of it, while the hearing is adjourned or until the court orders otherwise.

- a) il verse au bénéficiaire toute fraction de la somme à laquelle le paragraphe 4 (1) de la *Loi sur le désintéressement des créanciers* donne priorité;
- b) il verse au shérif toute fraction de la somme en sus.

ORDONNANCE DE NON-APPLICATION DU PARAGRAPHE (12)

(13) Lors d'une audience sur la saisie-arrêt ou sur motion en modification de la saisie-arrêt prévue par la présente règle, le tribunal peut ordonner que le paragraphe (12) ne s'applique pas.

MODIFICATION DE LA SAISIE-ARRÊT: ALIMENTS INDEXÉS

(14) Si un avis de saisie-arrêt exécute une ordonnance alimentaire qui prévoit l'indexation des paiements périodiques pour tenir compte de l'inflation, le bénéficiaire peut signifier au tiers saisi et au payeur une déclaration solennelle sur l'indexation des aliments (formule 29D) qui précise la nouvelle somme qui doit être versée aux termes de l'ordonnance et peut déposer la déclaration auprès du tribunal.

EFFET DE LA DÉCLARATION SOLENNELLE SUR L'INDEXATION DES ALIMENTS

(15) La déclaration solennelle sur l'indexation des aliments exige du tiers saisi qu'il verse, dès sa signification, la nouvelle somme qui y est précisée.

CONTESTATION DE LA SAISIE-ARRÊT

(16) Au plus tard 10 jours après qu'un avis de saisie-arrêt ou une déclaration solennelle sur l'indexation des aliments lui est signifié, le payeur, le tiers saisi ou le cotitulaire de la créance peut signifier une contestation (formule 29E, 29F ou 29G) aux autres parties et la déposer.

AVIS D'AUDIENCE SUR LA SAISIE-ARRÊT

(17) Le greffier délivre, sur demande, un avis d'audience sur la saisie-arrêt (formule 29H):

- a) soit au plus tard 10 jours après la signification et le dépôt d'une contestation;
- b) soit dans les cas où le bénéficiaire soutient que le tiers saisi n'a rien payé ou n'a pas assez payé.

SIGNIFICATION DE L'AVIS

(18) Le greffier signifie et dépose l'avis au plus tard 10 jours avant la tenue de l'audience.

AUDIENCE SUR LA SAISIE-ARRÊT

(19) Lors d'une audience sur une saisie-arrêt, le tribunal peut rendre une ou plusieurs des ordonnances temporaires ou définitives suivantes :

1. Une ordonnance rejetant la contestation.
2. Une ordonnance modifiant la somme qui est saisie par paiements périodiques prévus par une ordonnance de paiement et modifiant en même temps l'ordonnance de paiement elle-même. Toutefois, le tribunal ne peut exercer ce pouvoir que si :
 - i. d'une part, il a le pouvoir de modifier l'ordonnance de paiement,
 - ii. d'autre part, les parties à l'ordonnance de paiement sont d'accord avec la modification ou l'une d'entre elles a signifié et déposé un avis de motion la demandant.
3. Une ordonnance modifiant la somme qui est saisie par paiements non périodiques prévus par une ordonnance de paiement.
4. Une ordonnance suspendant la saisie-arrêt ou toute condition de celle-ci pendant l'ajournement de l'audience ou jusqu'à ordonnance contraire du tribunal.

5. An order setting aside the notice of garnishment or any statutory declaration of indexed support.
6. An order that garnished money held or received by the clerk, Director or sheriff be held in court.
7. An order that garnished money that has been paid out in error to the recipient be paid into and held in court, returned to the garnishee or sent to the payor or to the co-owner of the debt.
8. An order that garnished money held in court be returned to the garnishee or be sent to the payor, the co-owner of the debt, the sheriff, the clerk or the Director.
9. An order deciding how much remains owing under a payment order that is being enforced by garnishment against the payor or garnishee.
10. If the garnishee has not paid what was required by the notice of garnishment or statutory declaration of indexed support, an order that the garnishee pay all or part of what was required.
11. An order deciding who is entitled to the costs of the garnishment hearing and setting the amount of the costs.

CHANGING GARNISHMENT AT OTHER TIMES

(20) The court may also use the powers listed in subrule (19), on motion or on its own initiative, even if the notice of garnishment was issued by another court,

- (a) on a motion under section 7 of the *Wages Act*;
- (b) if the court replaces a temporary payment order with a final payment order;
- (c) if the court indexes or changes a payment order; or
- (d) if the court allows an appeal.

CHANGING GARNISHMENT WHEN ABILITY TO PAY CHANGES

(21) If there has been a material change in the payor's circumstances affecting the payor's ability to pay, the court may, on motion, use the powers listed in subrule (19).

GARNISHEE'S PAYMENT PAYS DEBT

(22) Payment of a debt by a garnishee under a notice of garnishment or statutory declaration of indexed support pays off the debt between the garnishee and the payor to the extent of the payment.

NOTICE BY GARNISHEE—PAYOR NOT WORKING OR RECEIVING MONEY

(23) Within 10 days after a payor stops working for or is no longer receiving any money from a garnishee, the garnishee shall send a notice as subrule (27) requires,

- (a) saying that the payor is no longer working for or is no longer receiving any money from the garnishee;
- (b) giving the date on which the payor stopped working for or receiving money from the garnishee and the date of the last payment to the payor from the garnishee; and
- (c) giving the name and address of any other income source of the payor, if known.

5. Une ordonnance annulant l'avis de saisie-arrêt ou toute déclaration solennelle sur l'indexation des aliments.
6. Une ordonnance portant que la somme saisie que détient ou reçoit le greffier, le directeur ou le shérif soit conservée au tribunal.
7. Une ordonnance portant que la somme saisie qui a été versée par erreur au bénéficiaire soit consignée au tribunal et y soit conservée, soit retournée au tiers saisi ou soit versée au payeur ou au cotitulaire de la créance.
8. Une ordonnance portant que la somme saisie qui est conservée au tribunal soit retournée au tiers saisi ou versée au payeur, au cotitulaire de la créance, au shérif, au greffier ou au directeur.
9. Une ordonnance fixant la somme qui reste à payer aux termes d'une ordonnance de paiement exécutée par voie de saisie-arrêt contre le payeur ou le tiers saisi.
10. Si le tiers saisi n'a pas payé la somme exigée par l'avis de saisie-arrêt ou la déclaration solennelle sur l'indexation des aliments, une ordonnance lui enjoignant de payer tout ou partie de cette somme.
11. Une ordonnance précisant qui a droit aux dépens de l'audience sur la saisie-arrêt et en fixant le montant.

MODIFICATION DE LA SAISIE-ARRÊT EN D'AUTRES CIRCONSTANCES

(20) Le tribunal peut également exercer les pouvoirs énumérés au paragraphe (19), sur motion ou de sa propre initiative, même si l'avis de saisie-arrêt a été délivré par un autre tribunal, si, selon le cas :

- a) une motion est présentée aux termes de l'article 7 de la *Loi sur les salaires*;
- b) il remplace une ordonnance de paiement temporaire par une ordonnance de paiement définitive;
- c) il indexe ou modifie une ordonnance de paiement;
- d) il accueille un appel.

MODIFICATION DE LA SAISIE-ARRÊT EN CAS DE CHANGEMENT DANS LA CAPACITÉ DE PAYER

(21) S'il survient un changement important dans la situation du payeur qui influe sur sa capacité de payer, le tribunal peut, sur motion, exercer les pouvoirs énumérés au paragraphe (19).

PAIEMENT DE LA DETTE

(22) Le paiement d'une dette par le tiers saisi aux termes d'un avis de saisie-arrêt ou d'une déclaration solennelle sur l'indexation des aliments liquide la dette du tiers saisi envers le payeur jusqu'à concurrence du paiement.

AVIS DU TIERS SAISI LORSQUE LE PAYEUR CESSE DE TRAVAILLER POUR LUI

(23) Au plus tard 10 jours après que le payeur cesse de travailler pour lui ou de recevoir de l'argent de lui, le tiers saisi envoie un avis, comme l'exige le paragraphe (27), indiquant ce qui suit :

- a) le fait que le payeur ne travaille plus pour le tiers saisi ou qu'il ne reçoit plus d'argent de lui;
- b) la date à laquelle le payeur a cessé de travailler pour le tiers saisi ou de recevoir de l'argent de lui et celle du dernier paiement que le tiers saisi lui a fait;
- c) les nom et adresse de toute autre source de revenu du payeur, si le tiers saisi les connaît.

NOTICE BY GARNISHEE—PAYOR WORKING OR RECEIVING MONEY AGAIN

(24) Within 10 days after the payor returns to work for or starts to receive money again from the garnishee, the garnishee shall send another notice as subrule (27) requires, saying that the payor has returned to work for or started to receive money again from the garnishee.

NOTICE BY PAYOR—WORKING OR RECEIVING MONEY AGAIN

(25) Within 10 days after returning to work for or starting to receive money again from the garnishee, the payor shall send a notice as subrule (27) requires, saying that the payor has returned to work for or started to receive money again from the garnishee.

NOTICE BY PAYOR—NEW INCOME SOURCE

(26) Within 10 days after starting to work for or receive money from a new income source, the payor shall send a notice as subrule (27) requires, saying that the payor has started to work for or to receive money from the new income source.

NOTICE SENT TO CLERK AND RECIPIENT OR DIRECTOR

(27) A notice referred to in subrule (23), (24), (25) or (26) shall be sent to the clerk, and to the recipient or the Director (depending on who is enforcing the order), by mail, fax or electronic mail.

NOTICE BY CLERK

(28) When the clerk receives a notice under subrule (26), the clerk shall immediately notify the recipient or the Director (depending on who is enforcing the order) by mail, fax or electronic mail.

NEW NOTICE OF GARNISHMENT

(29) If no written objection is received within 10 days, the clerk shall,

- (a) issue a new notice of garnishment directed to the new garnishee, requiring the same deductions as were required to be made, under the previous notice of garnishment or statutory declaration of indexed support, on the day that the notice under subrule (26) was received; and
- (b) send a copy of the new notice of garnishment to the payor and the new garnishee, by mail, fax or electronic mail.

EFFECT OF NEW NOTICE OF GARNISHMENT

(30) Issuing a new notice of garnishment under clause (29) (a) does not cancel any previous notice of garnishment or statutory declaration of indexed support.

NOTICE TO STOP GARNISHMENT

(31) The recipient shall immediately mail a notice to stop garnishment (Form 29I) to the garnishee and payor and file it with the clerk if,

- (a) the recipient no longer wants to enforce the order by garnishment; or
- (b) the requirement to make periodic payments under the order has ended and all other amounts owing under the order have been paid.

OLD ORDERS

- (32) This rule applies, with necessary changes, to,

AVIS DU TIERS SAISI LORSQUE LE PAYEUR RECOMMENCE À TRAVAILLER POUR LUI

(24) Au plus tard 10 jours après que le payeur recommence à travailler pour lui ou à recevoir de l'argent de lui, le tiers saisi envoie un avis à cet effet, comme l'exige le paragraphe (27).

AVIS DU PAYEUR LORSQU'IL RECOMMENCE À TRAVAILLER POUR LE TIERS SAISI

(25) Au plus tard 10 jours après qu'il recommence à travailler pour le tiers saisi ou à recevoir de l'argent de lui, le payeur envoie un avis à cet effet, comme l'exige le paragraphe (27).

AVIS DU PAYEUR LORSQU'IL COMMENCE À TRAVAILLER POUR UNE NOUVELLE SOURCE DE REVENU

(26) Au plus tard 10 jours après qu'il commence à travailler pour une nouvelle source de revenu ou à recevoir de l'argent d'une nouvelle source de revenu, le payeur envoie un avis à cet effet, comme l'exige le paragraphe (27).

ENVOI DE L'AVIS AU GREFFIER ET AU BÉNÉFICIAIRE OU AU DIRECTEUR

(27) L'avis mentionné au paragraphe (23), (24), (25) ou (26) est envoyé au greffier et au bénéficiaire ou au directeur, selon celui des deux qui exécute l'ordonnance, par la poste, par télécopie ou par courrier électronique.

AVIS DONNÉ PAR LE GREFFIER

(28) Lorsqu'il reçoit l'avis mentionné au paragraphe (26), le greffier en avise immédiatement le bénéficiaire ou le directeur, selon celui des deux qui exécute l'ordonnance, par la poste, par télécopie ou par courrier électronique.

NOUVEL AVIS DE SAISIE-ARRÊT

(29) Si aucune opposition écrite n'est reçue dans les 10 jours, le greffier fait ce qui suit :

- a) il délivre un nouvel avis de saisie-arrêt à l'intention du nouveau tiers saisi exigeant les mêmes retenues que celles qui étaient exigées, aux termes de l'avis de saisie-arrêt précédent ou de la déclaration solennelle sur l'indexation des aliments précédente, le jour où il a reçu l'avis mentionné au paragraphe (26);
- b) il envoie un nouvel avis de saisie-arrêt au payeur et au nouveau tiers saisi par la poste, par télécopie ou par courrier électronique.

EFFET DU NOUVEL AVIS DE SAISIE-ARRÊT

(30) La délivrance d'un nouvel avis de saisie-arrêt aux termes de l'alinéa (29) a) n'a pas pour effet d'annuler les avis de saisie-arrêt ou les déclarations solennelles sur l'indexation des aliments précédents.

AVIS DE SUSPENSION DE LA SAISIE-ARRÊT

(31) Le bénéficiaire envoie immédiatement par la poste un avis de suspension de la saisie-arrêt (formule 29I) au tiers saisi et au payeur et le dépose auprès du greffier si, selon le cas :

- a) il ne désire plus faire exécuter l'ordonnance au moyen d'une saisie-arrêt;
- b) l'obligation d'effectuer des paiements périodiques aux termes de l'ordonnance a pris fin et toutes les sommes dues aux termes de celle-ci ont été payées.

ORDONNANCES ANTÉRIEURES

(32) La présente règle s'applique, avec les adaptations nécessaires, aux ordonnances suivantes :

- (a) an attachment order made under section 30 of the *Family Law Reform Act* (chapter 152 of the Revised Statutes of Ontario, 1980); and
- (b) a garnishment order issued by the court under the rules that were in effect before January 1, 1985.

RULE 30: DEFAULT HEARING**ISSUING NOTICE OF DEFAULT HEARING**

30. (1) The clerk shall issue a notice of default hearing (Form 30).

- (a) if the support order is being enforced by the recipient, when the recipient files a request for a default hearing (Form 30A) and a statement of money owed (subrule 26 (5));
- (b) if it is being enforced by the Director, when the Director files a statement of money owed.

SERVING NOTICE OF DEFAULT HEARING

(2) The notice of default hearing shall be served on the payor by special service (subrule 6 (3)) and filed.

PAYOR'S DISPUTE

(3) Within 10 days after being served with the notice, the payor shall serve on the recipient and file,

- (a) a financial statement (Form 13); and
- (b) a default dispute (Form 30B).

UPDATING STATEMENT OF MONEY OWED

(4) The recipient shall serve and file a new statement of money owed (subrule 26 (5)) not more than seven days before the default hearing.

WHEN DIRECTOR TO UPDATE STATEMENT

(5) Despite subrule 26 (10), subrule (4) applies to the Director only if,

- (a) the amount the Director is asking the court to enforce is greater than the amount shown in the notice of default hearing; or
- (b) the court directs it.

STATEMENT OF MONEY OWED PRESUMED CORRECT

(6) The payor is presumed to admit that the recipient's statement of money owed is correct, unless the payor has filed a default dispute stating that the statement of money owed is not correct and giving detailed reasons.

ARREARS ENFORCEABLE TO DATE OF HEARING

(7) At the default hearing, the court may decide and enforce the amount owing as of the date of the hearing.

CONDITIONAL IMPRISONMENT

(8) The court may make an order under clause 41 (9) (g) or (h) of the *Family Responsibility and Support Arrears Enforcement Act*, 1996, suspending the payor's imprisonment on appropriate conditions.

ISSUING WARRANT OF COMMITTAL

(9) If the recipient, on a motion with special service (subrule 6 (3)) on the payor, states by affidavit (or by oral evidence, with the court's permission) that the payor has not obeyed a condition that was imposed under subrule (8), the court may issue a warrant of committal against the payor, subject to subsection 41 (13) (variation of order) of the *Family Responsibility and Support Arrears Enforcement Act*, 1996.

- a) une ordonnance de saisie rendue en vertu de l'article 30 de la loi intitulée *Family Law Reform Act*, qui constitue le chapitre 152 des Lois refondues de l'Ontario de 1980;
- b) une ordonnance de saisie-arêt rendue par le tribunal aux termes des règles qui étaient en vigueur avant le 1^{er} janvier 1985.

RÈGLE 30 : AUDIENCE SUR LE DÉFAUT**DÉLIVRANCE D'UN AVIS D'AUDIENCE SUR LE DÉFAUT**

30. (1) Le greffier délivre un avis d'audience sur le défaut (formule 30) :

- a) lorsque le bénéficiaire dépose une demande d'audience sur le défaut (formule 30A) et un état des sommes dues (paragraphe 26 (5)), si l'ordonnance alimentaire est exécutée par lui;
- b) lorsque le directeur dépose un état des sommes dues, si l'ordonnance alimentaire est exécutée par lui.

SIGNIFICATION DE L'AVIS D'AUDIENCE SUR LE DÉFAUT

(2) L'avis d'audience sur le défaut est signifié au payeur par voie de signification spéciale (paragraphe 6 (3)) et déposé.

CONTESTATION PAR LE PAYEUR

(3) Au plus tard 10 jours après que l'avis lui est signifié, le payeur signifie au bénéficiaire et dépose ce qui suit :

- a) un état financier (formule 13);
- b) une contestation du défaut (formule 30B).

MISE À JOUR DE L'ÉTAT DES SOMMES DUES

(4) Le bénéficiaire signifie et dépose un nouvel état des sommes dues (paragraphe 26 (5)) au plus tard sept jours avant la tenue de l'audience sur le défaut.

MISE À JOUR PAR LE DIRECTEUR

(5) Malgré le paragraphe 26 (10), le paragraphe (4) s'applique au directeur uniquement dans l'un ou l'autre des cas suivants :

- a) la somme que le directeur demande au tribunal d'exécuter est supérieure à celle qui figure dans l'avis d'audience sur le défaut;
- b) le tribunal ordonne qu'il en soit ainsi.

ÉTAT DES SOMMES DUES PRÉSUMÉ EXACT

(6) Le payeur est présumé admettre l'exactitude de l'état des sommes dues signifié et déposé par le bénéficiaire à moins qu'il n'ait déposé une contestation du défaut attestant que l'état est inexact et en donnant les raisons détaillées.

ARRIÉRE EXÉCUTOIRE À LA DATE DE L'AUDIENCE

(7) Lors de l'audience sur le défaut, le tribunal peut fixer et exécuter la somme qui est due à la date de l'audience.

EMPRISONNEMENT CONDITIONNEL

(8) Le tribunal peut, en vertu de l'alinéa 41 (9) g) ou h) de la *Loi de 1996 sur les obligations familiales et l'exécution des arriérés d'aliments*, rendre une ordonnance suspendant l'emprisonnement du payeur aux conditions appropriées.

MANDAT D'INCARCÉRATION

(9) Si, sur motion présentée par voie de signification spéciale (paragraphe 6 (3)) au payeur, le bénéficiaire atteste par affidavit (ou par témoignage oral, avec la permission du tribunal) que le payeur n'a pas respecté une condition imposée en vertu du paragraphe (8), le tribunal peut décerner un mandat d'incarcération contre le payeur, sous réserve du paragraphe 41 (13) (modification de l'ordonnance) de la *Loi de 1996 sur les obligations familiales et l'exécution des arriérés d'aliments*.

RULE 31: CONTEMPT OF COURT**WHEN CONTEMPT MOTION AVAILABLE**

31. (1) An order, other than a payment order, may be enforced by a contempt motion made in the case in which the order was made, even if another penalty is available.

NOTICE OF CONTEMPT MOTION

(2) The notice of contempt motion (Form 31) shall be served together with a supporting affidavit, by special service as provided in clause 6 (3) (a), unless the court orders otherwise.

AFFIDAVIT FOR CONTEMPT MOTION

(3) The supporting affidavit may contain statements of information that the person signing the affidavit learned from someone else, but only if the requirements of subrule 14 (19) are satisfied.

WARRANT TO BRING TO COURT

(4) To bring before the court a person against whom a contempt motion is made, the court may issue a warrant for the person's arrest if,

- (a) the person's attendance is necessary in the interest of justice; and
- (b) the person is not likely to attend voluntarily.

CONTEMPT ORDERS

(5) If the court finds a person in contempt of the court, it may order that the person,

- (a) be imprisoned for any period and on any conditions that are just;
- (b) pay a fine in any amount that is appropriate;
- (c) pay an amount to a party as a penalty;
- (d) do anything else that the court decides is appropriate;
- (e) not do what the court forbids;
- (f) pay costs in an amount decided by the court; and
- (g) obey any other order.

WRIT OF TEMPORARY SEIZURE

(6) The court may also give permission to issue a writ of temporary seizure (Form 28C) against the person's property.

LIMITED IMPRISONMENT OR FINE

(7) In a contempt order under one of the following provisions, the period of imprisonment and the amount of a fine may not be greater than the relevant Act allows:

1. Section 38 of the *Children's Law Reform Act*.
2. Section 49 of the *Family Law Act*.
3. Section 53 of the *Family Responsibility and Support Arrears Enforcement Act, 1996*.

CONDITIONAL IMPRISONMENT OR FINE

(8) A contempt order for imprisonment or for the payment of a fine may be suspended on appropriate conditions.

ISSUING WARRANT OF COMMITTAL

(9) If a party, on a motion with special service (subrule 6 (3)) on the person in contempt, states by an affidavit in Form 32C (or by oral evidence, with the court's permission) that the person has not obeyed a

RÈGLE 31 : OUTRAGE AU TRIBUNAL**MOTION POUR OUTRAGE**

31. (1) Une ordonnance, autre qu'une ordonnance de paiement, peut être exécutée par une motion pour outrage présentée dans la cause dans laquelle l'ordonnance a été rendue, même si une autre peine peut être imposée.

AVIS DE MOTION POUR OUTRAGE

(2) Sauf ordonnance contraire du tribunal, l'avis de motion pour outrage (formule 31) est signifié, avec un affidavit à l'appui, par voie de signification spéciale conformément à l'alinéa 6 (3) a).

AFFIDAVIT À L'APPUI D'UNE MOTION POUR OUTRAGE

(3) L'affidavit à l'appui de la motion peut contenir des renseignements que le signataire de l'affidavit a obtenus d'une autre personne, mais seulement s'il est satisfait aux exigences du paragraphe 14 (19).

MANDAT D'AMENER

(4) Le tribunal qui veut amener devant lui une personne contre laquelle une motion pour outrage est présentée peut décerner contre la personne un mandat d'arrêt si :

- a) d'une part, sa présence est nécessaire dans l'intérêt de la justice;
- b) d'autre part, elle n'est pas susceptible de se présenter de son plein gré.

ORDONNANCES POUR OUTRAGE

(5) S'il déclare une personne coupable d'outrage à son égard, le tribunal peut ordonner qu'elle :

- a) soit emprisonnée pour toute période et à toutes conditions jugées équitables;
- b) paie une amende appropriée;
- c) verse une somme à une partie à titre de pénalité;
- d) fasse toute autre chose que le tribunal juge appropriée;
- e) ne fasse pas ce que le tribunal lui défend de faire;
- f) paie les dépens que fixe le tribunal;
- g) observe toute autre ordonnance.

BREF DE SAISIE TEMPORAIRE

(6) Le tribunal peut également accorder la permission de délivrer un bref de saisie temporaire (formule 28C) des biens de la personne.

PEINE D'EMPRISONNEMENT OU AMENDE MAXIMALE

(7) Dans une ordonnance pour outrage rendue en vertu de l'une ou l'autre des dispositions suivantes, la peine d'emprisonnement ou l'amende ne peut dépasser ce que permet la loi pertinente :

1. L'article 38 de la *Loi sur la réforme du droit de l'enfance*.
2. L'article 49 de la *Loi sur le droit de la famille*.
3. L'article 53 de la *Loi de 1996 sur les obligations familiales et l'exécution des arriérés d'aliments*.

PEINE D'EMPRISONNEMENT OU AMENDE CONDITIONNELLE

(8) L'ordonnance pour outrage qui impose une peine d'emprisonnement ou une amende peut être suspendue aux conditions appropriées.

MANDAT D'INCARCÉRATION

(9) Si, sur motion présentée par voie de signification spéciale (paragraphe 6 (3)) à la personne déclarée coupable d'outrage, une partie atteste par affidavit rédigé selon la formule 32C (ou par témoignage oral,

condition imposed under subrule (8), the court may issue a warrant of committal against the person.

PAYMENT OF FINE

(10) A contempt order for the payment of a fine shall require the person in contempt to pay the fine.

- (a) in a single payment, immediately or before a date that the court chooses; or
- (b) in instalments, over a period of time that the court considers appropriate.

CORPORATION IN CONTEMPT

(11) If a corporation is found in contempt, the court may also make an order under subrule (5), (6) or (7) against any officer or director of the corporation.

CHANGE IN CONTEMPT ORDER

(12) The court may, on motion, change an order under this rule, give directions and make any other order that is just.

RULE 32: BONDS, RECOGNIZANCES AND WARRANTS

WARRANT TO BRING A PERSON TO COURT

32. (1) If a person does not come to court after being served with notice of a case, enforcement or motion that may result in an order requiring the person to post a bond,

- (a) the court may issue a warrant for the person's arrest, to bring the person before the court, and adjourn the case to await the person's arrival; or
- (b) the court may,
 - (i) hear and decide the case in the person's absence and, if appropriate, make an order requiring the person to post a bond, and
 - (ii) if the person has been served with the order and does not post the bond by the date set out in the order, issue a warrant for the person's arrest, on motion without notice, to bring the person before the court.

FORM OF BOND AND OTHER REQUIREMENTS

- (2) A bond shall be in Form 32, does not need a seal, and shall,
 - (a) have at least one surety, unless the court orders otherwise;
 - (b) list the conditions that the court considers appropriate;
 - (c) set out an amount of money to be forfeited if the conditions are not obeyed;
 - (d) shall require the person posting the bond to deposit the money with the clerk immediately, unless the court orders otherwise; and
 - (e) name the person to whom any forfeited money is to be paid out.

PERSON BEFORE WHOM RECOGNIZANCE TO BE ENTERED INTO

(3) A recognizance shall be entered into before a judge, a justice of the peace or the clerk.

avec la permission du tribunal) que la personne n'a pas respecté une condition imposée en vertu du paragraphe (8), le tribunal peut décerner un mandat d'incarcération contre cette personne.

PAIEMENT DE L'AMENDE

(10) L'ordonnance pour outrage qui impose une amende enjoint à la personne déclarée coupable de l'outrage de payer l'amende :

- a) soit en un versement unique, immédiatement ou avant la date que fixe le tribunal;
- b) soit par versements échelonnés, sur la période que le tribunal juge appropriée.

SOCIÉTÉ COUPABLE D'OUTRAGE

(11) Le tribunal peut également rendre une ordonnance en vertu du paragraphe (5), (6) ou (7) contre un dirigeant ou administrateur de la société qui est déclarée coupable d'outrage.

MODIFICATION DE L'ORDONNANCE POUR OUTRAGE

(12) Le tribunal peut, sur motion, modifier une ordonnance rendue en vertu de la présente règle, donner des directives et rendre toute autre ordonnance jugée équitable.

RÈGLE 32 : CAUTIONNEMENTS, ENGAGEMENTS ET MANDATS

MANDAT D'AMENER

32. (1) Si une personne ne se présente pas au tribunal après avoir reçu signification d'un avis de cause, d'exécution ou de motion qui pourrait donner lieu à une ordonnance lui enjoignant de fournir un cautionnement, le tribunal peut :

- a) soit décerner un mandat d'arrêt contre la personne afin qu'elle soit amenée devant le tribunal, et ajourner la cause en attendant son arrivée;
- b) soit :
 - (i) entendre et décider la cause en l'absence de la personne et, si cela est approprié, rendre une ordonnance lui enjoignant de fournir un cautionnement,
 - (ii) si la personne a reçu signification de l'ordonnance mais qu'elle ne fournit pas le cautionnement au plus tard à la date fixée dans celle-ci, décerner contre elle, sur motion présentée sans préavis, un mandat d'arrêt afin qu'elle soit amenée devant le tribunal.

FORME DU CAUTIONNEMENT ET AUTRES EXIGENCES

(2) Le cautionnement est rédigé selon la formule 32, il n'a pas besoin d'être scellé et :

- a) il désigne au moins une caution, sauf ordonnance contraire du tribunal;
- b) il énumère les conditions que le tribunal juge appropriées;
- c) il précise la somme qui sera confisquée si les conditions ne sont pas respectées;
- d) il exige de la personne qui fournit le cautionnement qu'elle dépose immédiatement la somme auprès du greffier, sauf ordonnance contraire du tribunal;
- e) il désigne la personne à qui doit être versée toute somme confisquée.

SOUSCRIPTION DE L'ENGAGEMENT

(3) L'engagement est souscrit en présence d'un juge, d'un juge de paix ou du greffier.

CHANGE OF CONDITIONS IN A BOND

(4) The court may, on motion, change any condition in a bond if there has been a material change in a party's circumstances since the date of the order for posting the bond or the date of an order under this subrule, whichever is more recent.

CHANGE IN BOND UNDER CHILDREN'S LAW REFORM ACT

(5) In the case of a bond under the *Children's Law Reform Act*, subrule (4) also applies to a material change in circumstances that affects or is likely to affect the best interests of the child.

REMOVAL OR REPLACEMENT OF SURETY

(6) The court may, on motion, order that a surety be removed or be replaced by another person as surety, in which case as soon as the order is made, the surety who is removed or replaced is free from any obligation under the bond.

MOTION TO ENFORCE BOND

(7) A person requesting the court's permission to enforce a bond under subsection 143 (1) (enforcement of recognizance or bond) of the *Courts of Justice Act* shall serve a notice of forfeiture motion (Form 32A), with a copy of the bond attached, on the person said to have broken the bond and on each surety.

FORFEITURE IF NO DEPOSIT MADE

(8) If an order of forfeiture of a bond is made and no deposit was required, or a deposit was required but was not made, the order shall require the payor or surety to pay the required amount to the person to whom the bond is payable,

- (a) in a single payment, immediately or before a date that the court chooses; or
- (b) in instalments, over a period of time that the court considers appropriate.

CHANGE IN PAYMENT SCHEDULE

(9) If time is allowed for payment under subrule (8), the court may, on a later motion by the payor or a surety, allow further time for payment.

ORDER FOR FORFEITURE OF DEPOSIT

(10) If an order of forfeiture of a bond is made and a deposit was required and was made, the order shall direct the clerk to pay the required amount immediately to the person to whom the bond is made payable.

CANCELLING BOND

(11) The court may, on motion, make an order under subrule (4), or an order cancelling the bond and directing a refund of all or part of the deposit, if,

- (a) a payor or surety made a deposit under the bond;
- (b) the conditions of the bond have not been broken; and
- (c) the conditions have expired or, although they have not expired or do not have an expiry date, the payor or surety has good reasons for getting the conditions of the bond changed.

FORM OF WARRANT FOR ARREST

(12) A warrant for arrest issued against any of the following shall be in Form 32B:

MODIFICATION DES CONDITIONS D'UN CAUTIONNEMENT

(4) Le tribunal peut, sur motion, modifier les conditions d'un cautionnement s'il est survenu un changement important dans la situation d'une partie depuis la date de l'ordonnance de fourniture du cautionnement ou la date d'une ordonnance rendue en vertu du présent paragraphe, selon la plus récente de ces dates.

CAUTIONNEMENT EXIGÉ PAR LA LOI PORTANT RÉFORME DU DROIT DE L'ENFANCE

(5) Dans le cas d'un cautionnement exigé par la *Loi portant réforme du droit de l'enfance*, le paragraphe (4) s'applique également à un changement important de circonstances qui influe ou qui est susceptible d'influer sur l'intérêt véritable de l'enfant.

RETRAIT OU REMPLACEMENT D'UNE CAUTION

(6) Le tribunal peut, sur motion, ordonner le retrait d'une caution ou son remplacement par une autre personne, auquel cas la caution qui est retirée ou remplacée est libérée de toute obligation imposée par le cautionnement dès que l'ordonnance est rendue.

MOTION EN EXÉCUTION D'UN CAUTIONNEMENT

(7) La personne qui demande au tribunal la permission d'exécuter un cautionnement en vertu du paragraphe 143 (1) (exécution des cautionnements et engagements) de la *Loi sur les tribunaux judiciaires* signifie un avis de motion en confiscation (formule 32A), accompagné d'une copie du cautionnement, à la personne qui est présumée ne pas avoir observé les conditions de celui-ci ainsi qu'à chaque caution.

CONFISCATION EN CAS D'ABSENCE DE DÉPÔT

(8) Si une ordonnance de confiscation d'un cautionnement est rendue et qu'aucun dépôt n'était exigé, ou qu'un dépôt était exigé mais n'a pas été fait, l'ordonnance enjoint au payeur ou à la caution de verser la somme exigée à la personne à qui le cautionnement est payable :

- a) soit en un versement unique, immédiatement ou avant la date que fixe le tribunal;
- b) soit par versements échelonnés, sur la période que le tribunal juge appropriée.

MODIFICATION DU DÉLAI DE PAIEMENT

(9) Le tribunal peut, sur présentation ultérieure d'une motion par le payeur ou une caution, prolonger le délai de paiement qu'il accorde en vertu du paragraphe (8).

ORDONNANCE DE CONFISCATION DU DÉPÔT

(10) Si une ordonnance de confiscation d'un cautionnement est rendue et qu'un dépôt était exigé et a été fait, l'ordonnance enjoint au greffier de verser immédiatement la somme exigée à la personne à qui le cautionnement est payable.

ANNULATION DU CAUTIONNEMENT

(11) Le tribunal peut, sur motion, rendre une ordonnance en vertu du paragraphe (4) ou une ordonnance annulant le cautionnement et exigeant le remboursement de tout ou partie du dépôt, si les conditions suivantes sont réunies :

- a) le payeur ou la caution a fait le dépôt exigé par le cautionnement;
- b) les conditions du cautionnement ont été respectées;
- c) les conditions sont expirées ou, si elles ne le sont pas ou qu'elles n'ont pas de date d'expiration, le payeur ou la caution a de bonnes raisons de les faire modifier.

FORME DU MANDAT D'ARRÊT

(12) Le mandat d'arrêt décerné contre l'une ou l'autre des personnes suivantes est rédigé selon la formule 32B :

- 1. A payor who does not file a financial statement ordered under subsection 40 (4) of the *Family Responsibility and Support Arrears Enforcement Act, 1996* or under these rules.
- 2. A payor who does not come to a default hearing under section 41 of the *Family Responsibility and Support Arrears Enforcement Act, 1996*.
- 3. An absconding respondent under subsection 43 (1) or 59 (2) of the *Family Law Act*.
- 4. An absconding payor under subsection 49 (1) of the *Family Responsibility and Support Arrears Enforcement Act, 1996*.
- 5. A witness who does not come to court or remain in attendance as required by a summons to witness.
- 6. A person who does not come to court in a case that may result in an order requiring the person to post a bond under these rules.
- 7. A person who does not obey an order requiring the person to post a bond under these rules.
- 8. A person against whom a contempt motion is made.
- 9. Any other person liable to arrest under an order.

10. Any other person liable to arrest for committing an offence.

BAIL ON ARREST

(13) Section 150 (interim release by justice of the peace) of the *Provincial Offences Act* applies, with necessary changes, to an arrest made under a warrant mentioned in paragraph 1, 2, 3 or 4 of subrule (12).

AFFIDAVIT FOR WARRANT OF COMMITTAL

(14) An affidavit in support of a motion for a warrant of committal shall be in Form 32C.

FORM OF WARRANT OF COMMITTAL

(15) A warrant of committal issued to enforce an order of imprisonment shall be in Form 32D.

RULE 33: CHILD PROTECTION

TIMETABLE

33. (1) Every child protection case, including a status review application, is governed by the following timetable:

Step in the case	Maximum time for completion, from start of case
First hearing, if child has been apprehended	5 days
Temporary care and custody hearing	25 days
Service and filing of plan of care or supervision	33 days
Case conference	40 days
Settlement conference	80 days
Protection hearing	120 days

- 1. Le payeur qui ne dépose pas l'état financier exigé aux termes du paragraphe 40 (4) de la *Loi de 1996 sur les obligations familiales et l'exécution des arriérés d'aliments* ou aux termes des présentes règles.
- 2. Le payeur qui ne se présente pas à une audience sur le défaut tenue en vertu de l'article 41 de la *Loi de 1996 sur les obligations familiales et l'exécution des arriérés d'aliments*.
- 3. L'intimé en fuite mentionné au paragraphe 43 (1) ou 59 (2) de la *Loi sur le droit de la famille*.
- 4. Le payeur en fuite mentionné au paragraphe 49 (1) de la *Loi de 1996 sur les obligations familiales et l'exécution des arriérés d'aliments*.
- 5. Le témoin qui ne se présente pas au tribunal ou n'y reste pas comme l'exige une assignation de témoin.
- 6. La personne qui ne se présente pas au tribunal dans une cause qui pourrait donner lieu à une ordonnance lui enjoignant de fournir un cautionnement aux termes des présentes règles.
- 7. La personne qui n'observe pas une ordonnance lui enjoignant de fournir un cautionnement aux termes des présentes règles.
- 8. La personne contre laquelle une motion pour outrage est présentée.
- 9. Toute autre personne susceptible d'être arrêtée en vertu d'une ordonnance.
- 10. Toute autre personne susceptible d'être arrêtée pour infraction.

CAUTIONNEMENT APRÈS L'ARRESTATION

(13) L'article 150 (mise en liberté provisoire par un juge de paix) de la *Loi sur les infractions provinciales* s'applique, avec les adaptations nécessaires, à l'arrestation effectuée en vertu d'un mandat mentionné à la disposition 1, 2, 3 ou 4 du paragraphe (12).

AFFIDAVIT À L'APPUI D'UNE DEMANDE DE MANDAT D'INCARCÉRATION

(14) L'affidavit à l'appui d'une motion pour mandat d'incarcération est rédigé selon la formule 32C.

FORME DU MANDAT D'INCARCÉRATION

(15) Le mandat d'incarcération décerné pour exécuter une ordonnance d'emprisonnement est rédigé selon la formule 32D.

RÈGLE 33 : PROTECTION DE L'ENFANCE

CALENDRIER

33. (1) Chaque cause portant sur la protection d'un enfant, y compris une requête en révision de statut, est régie par le calendrier suivant :

Étape de la cause	Délai d'exécution maximal à compter de l'introduction de la cause
Première audience, si l'enfant a été amené	5 jours
Audience sur les soins et la garde temporaires	25 jours
Signification et dépôt du programme de soins ou de surveillance	33 jours
Conférence relative à la cause	40 jours
Conférence en vue d'un règlement amiable	80 jours
Audience portant sur la protection	120 jours

CASE MANAGEMENT JUDGE

(2) Wherever possible, at the start of the case a judge shall be assigned to manage it and monitor its progress.

COURT MAY LENGTHEN TIMES ONLY IN BEST INTERESTS OF CHILD

(3) The court may lengthen a time shown in the timetable only if the best interests of the child require it.

PARTIES MAY NOT LENGTHEN TIMES

(4) The parties may not lengthen a time shown in the timetable by consent under subrule 3 (6).

PLAN OF CARE OR SUPERVISION TO BE SERVED

(5) A party who wants the court to consider a plan of care or supervision shall serve it on the other parties and file it not later than seven days before the case conference, even if that is sooner than the timetable would require.

TEMPORARY CARE AND CUSTODY HEARING—AFFIDAVIT EVIDENCE

(6) The evidence at a temporary care and custody hearing shall be given by affidavit, unless the court orders otherwise.

FORMS FOR CHILD PROTECTION CASES

(7) In a child protection case,

- (a) an information for a warrant to apprehend a child shall be in Form 33;
- (b) a warrant to apprehend a child shall be in Form 33A;
- (c) a plan of care for a child shall be in Form 33B;
- (d) an agreed statement of facts in a child protection case shall be in Form 33C; and
- (e) an agreed statement of facts in a status review application shall be in Form 33D.

FORMS FOR SECURE TREATMENT CASES

(8) In an application under Part VI (secure treatment) of the *Child and Family Services Act*, a consent signed by the child shall be in Form 33E and a consent signed by any other person shall be in Form 33F.

RULE 34: ADOPTION**CFSA DEFINITIONS APPLY**

34. (1) The definitions in the *Child and Family Services Act* apply to this rule and, in particular,

“Director” means a Director within the meaning of the Act.

MEANING OF “ACT”

(2) In this rule,

“Act” means the *Child and Family Services Act*.

CERTIFIED COPY OF ORDER FROM OUTSIDE ONTARIO

(3) When this rule requires a copy of an order to be filed and the order in question was made outside Ontario, it shall be a copy that is certified by an official of the court or other authority that made it.

JUGE RESPONSABLE DE LA GESTION DE LA CAUSE

(2) Au début de la cause, un juge est chargé dans la mesure du possible de la gérer et d'en surveiller l'évolution.

PROLONGEMENT DES DÉLAIS PAR LE TRIBUNAL

(3) Le tribunal ne peut prolonger un délai précisé dans le calendrier que si l'intérêt véritable de l'enfant l'exige.

PROLONGEMENT DES DÉLAIS PAR LES PARTIES

(4) Les parties ne peuvent prolonger un délai précisé dans le calendrier par consentement visé au paragraphe 3 (6).

PROGRAMME DE SOINS OU DE SURVEILLANCE À SIGNIFIER

(5) La partie qui veut que le tribunal examine un programme de soins ou de surveillance le signifie aux autres parties et le dépose au plus tard sept jours avant la conférence relative à la cause, même si c'est plus tôt que ne l'exige le calendrier.

AUDIENCE PORTANT SUR LES SOINS ET LA GARDE TEMPORAIRES — TÉMOIGNAGE PAR AFFIDAVIT

(6) Lors d'une audience portant sur les soins et la garde temporaires, les témoignages sont donnés par affidavit, sauf ordonnance contraire du tribunal.

FORMULES DANS LES CAUSES PORTANT SUR LA PROTECTION D'UN ENFANT

(7) Dans une cause portant sur la protection d'un enfant :

- a) la dénonciation en vue d'obtenir un mandat d'amener un enfant est rédigée selon la formule 33;
- b) le mandat d'amener un enfant est rédigé selon la formule 33A;
- c) le programme de soins pour un enfant est rédigé selon la formule 33B;
- d) l'exposé conjoint des faits dans une cause portant sur la protection d'un enfant est rédigé selon la formule 33C;
- e) l'exposé conjoint des faits dans une requête en révision de statut est rédigé selon la formule 33D.

FORMULES DANS LES CAUSES PORTANT SUR LES PROGRAMMES DE TRAITEMENT EN MILIEU FERMÉ

(8) Dans une requête présentée en vertu de la partie VI (programme de traitement en milieu fermé) de la *Loi sur les services à l'enfance et à la famille*, le consentement signé par l'enfant est rédigé selon la formule 33E et celui signé par une autre personne est rédigé selon la formule 33F.

RÈGLE 34 : ADOPTION**DÉFINITIONS APPLICABLES**

34. (1) Les définitions de la *Loi sur les services à l'enfance et à la famille*, dont la définition suivante, s'appliquent à la présente règle.

«directeur» S'entend au sens de la Loi.

SIGNIFICATION DE «LOI»

(2) La définition qui suit s'applique à la présente règle.

«Loi» S'entend de la *Loi sur les services à l'enfance et à la famille*.

COPIE CERTIFIÉE CONFORME D'UNE ORDONNANCE RENDUE HORS DE L'ONTARIO

(3) Lorsque la présente règle exige le dépôt d'une copie d'une ordonnance et que l'ordonnance a été rendue hors de l'Ontario, la copie est certifiée conforme par un fonctionnaire du tribunal ou de l'autre organe qui a rendu l'ordonnance.

MATERIAL TO BE FILED WITH ADOPTION APPLICATIONS

(4) The following shall be filed with every application for an adoption:

1. A certified copy of the statement of live birth of the child, or an equivalent that satisfies the court.
2. If required, the child's consent to adoption (Form 34) or a notice of motion and supporting affidavit for an order under subsection 137 (9) of the Act dispensing with the child's consent.
3. If the child is not a Crown ward, an affidavit of parentage (Form 34A) or any other evidence about parentage that the court requires from the child's parent, the person giving the child up for adoption, or a person named by the court.
4. If the applicant has a spouse who has not joined in the application, a consent to the child's adoption by the spouse (Form 34B).
5. If required by the Act or by an order, a Director's or local director's statement on adoption (Form 34C) under subsection 149 (1) or (6) of the Act.
6. An affidavit signed by the applicant (Form 34D) that includes details about the applicant's education, employment, health, background and ability to support and care for the child, a history of the relationship between the parent and the child and any other evidence relating to the best interests of the child, and states whether the child is an Indian or a native person.

REPORT OF CHILD'S ADJUSTMENT

(5) A report under subsection 149 (5) or (6) of the Act of the child's adjustment in the applicant's home shall also be filed with the application if the child is under 16 years of age, or is 16 years of age or older but has not withdrawn from parental control and has not married.

ADDITIONAL MATERIAL—CROWN WARD

(6) If the child is a Crown ward, the following shall also be filed with the application:

1. A Director's consent to adoption (Form 34E).
2. A copy of any order under subsection 58 (1) of the Act ending access to the child.
3. A copy of the order of Crown wardship.
4. Proof of service of the orders referred to in paragraphs 2 and 3, or a copy of any order dispensing with service.
5. An affidavit, signed by a person delegated by the local director of the children's aid society that has placed the child for adoption, stating that there is no appeal in progress from an order referred to in paragraph 2 or 3, or that the appeal period has expired without an appeal being filed, or that an appeal was filed but has been withdrawn or finally dismissed.

ADDITIONAL MATERIAL—CHILD NOT CROWN WARD

(7) If the child is not a Crown ward and is placed for adoption by a licensee or children's aid society, the following shall also be filed with the application:

1. A copy of any custody or access order that is in force and is known to the person placing the child, or to an applicant.

DOCUMENTS À DÉPOSER AVEC CHAQUE REQUÊTE EN ADOPTION

(4) Les documents suivants sont déposés avec chaque requête en adoption :

1. Une copie certifiée conforme de la déclaration de naissance vivante de l'enfant, ou un document équivalent que le tribunal juge satisfaisant.
2. S'il est exigé, le consentement de l'enfant à l'adoption (formule 34) ou un avis de motion et un affidavit à l'appui en vue d'obtenir, aux termes du paragraphe 137 (9) de la Loi, une ordonnance permettant de passer outre à ce consentement.
3. Si l'enfant n'est pas un pupille de la Couronne, un affidavit de filiation (formule 34A) ou toute autre preuve de filiation que le tribunal exige soit du père ou de la mère de l'enfant, soit de la personne qui donne l'enfant en adoption, soit de la personne que désigne le tribunal.
4. Si le conjoint du requérant n'est pas partie à la requête, son consentement à l'adoption de l'enfant (formule 34B).
5. Si la Loi ou une ordonnance l'exige, la déclaration du directeur ou du directeur local au sujet de l'adoption (formule 34C) mentionnée au paragraphe 149 (1) ou (6) de la Loi.
6. Un affidavit signé par le requérant (formule 34D) comprenant des précisions sur ses études, son emploi, sa santé, ses antécédents et sa capacité de subvenir aux besoins de l'enfant et de prendre soin de lui, l'historique des rapports entre l'enfant et ses père et mère et tout autre élément de preuve servant à établir l'intérêt véritable de l'enfant, et indiquant si l'enfant est un Indien ou un autochtone.

RAPPORT SUR L'ADAPTATION DE L'ENFANT

(5) Le rapport, mentionné au paragraphe 149 (5) ou (6) de la Loi, indiquant la façon dont l'enfant s'adapte au foyer du requérant est également déposé avec la requête si l'enfant a moins de 16 ans ou a 16 ans ou plus mais ne s'est pas soustrait à l'autorité parentale et ne s'est pas marié.

DOCUMENTS ADDITIONNELS — PUPILLE DE LA COURONNE

(6) Si l'enfant est un pupille de la Couronne, les documents suivants sont également déposés avec la requête :

1. Le consentement du directeur à l'adoption (formule 34E).
2. Une copie de toute ordonnance annulant le droit de visite à l'enfant rendue en vertu du paragraphe 58 (1) de la Loi.
3. Une copie de l'ordonnance de tutelle de la Couronne.
4. La preuve de la signification des ordonnances mentionnées aux dispositions 2 et 3 ou une copie de toute ordonnance dispensant de la signification.
5. Un affidavit, signé par la personne déléguée par le directeur local de la société d'aide à l'enfance qui a placé l'enfant en vue de son adoption, indiquant qu'aucun appel d'une ordonnance mentionnée à la disposition 2 ou 3 n'est en cours, que le délai d'appel a expiré sans qu'un appel ait été interjeté ou qu'un appel a été interjeté mais a été retiré ou rejeté.

DOCUMENTS ADDITIONNELS — ENFANT NON UN PUPILLE DE LA COURONNE

(7) Si l'enfant n'est pas un pupille de la Couronne et qu'il est placé en vue de son adoption par un titulaire de permis ou une société d'aide à l'enfance, les documents suivants sont également déposés avec la requête :

1. Une copie de toute ordonnance de garde ou de visite qui est en vigueur et qui est connue de la personne qui place l'enfant ou du requérant.

2. Proof of service of the order referred to in paragraph 1, or a copy of any order dispensing with service.
3. A consent to adoption (Form 34F) under section 137 of the Act from every person, other than the applicant, who is a parent or who has lawful custody or control of the child and of whom the person placing the child or an applicant is aware. Each person's consent may be replaced by a copy of an order under section 137 dispensing with the consent.
4. An affidavit (Form 34G) signed by the licensee or by an authorized employee of the children's aid society (depending on who is placing the child).
5. If the child is placed by a licensee, a copy of the licensee's licence to make the placement at the time of placing the child for adoption.

ADDITIONAL MATERIAL—RELATIVE OR STEP-PARENT

(8) If the applicant is the child's relative or the spouse of the child's parent, an affidavit from each applicant (Form 34H) shall also be filed with the application.

STEP-PARENT ADOPTION NOT JOINT APPLICATION

(9) An application by the spouse of the child's parent shall not be made jointly with the parent, but shall be accompanied by the parent's consent (Form 34I).

INDEPENDENT LEGAL ADVICE, CHILD'S CONSENT

(10) The consent of a child to be adopted shall be witnessed by a representative of the Children's Lawyer, who shall complete the affidavit of execution and independent legal advice (Form 34J).

INDEPENDENT LEGAL ADVICE, CONSENT OF PARENT UNDER 18

(11) Subrule (10) also applies to the consent of a person under the age of 18 years who is a parent or other person with legal custody or control of the child to be adopted.

INDEPENDENT LEGAL ADVICE, ADULT PARENT'S CONSENT

(12) The consent of an adult parent or other person with legal custody or control of the child to be adopted shall be witnessed by an independent lawyer, who shall complete the affidavit of execution and independent legal advice.

COPY OF CONSENT FOR PERSON SIGNING

(13) A person who signs a consent to an adoption shall be given a copy of the consent and of the affidavit of execution and independent legal advice.

MOTION TO WITHDRAW CONSENT

(14) Despite subrule 5 (4) (place for steps other than enforcement), a motion to withdraw a consent to an adoption shall be made in,

- (a) the municipality where the person who gave the consent lives; or
- (b) in any other place that the court decides.

2. La preuve de la signification de l'ordonnance mentionnée à la disposition 1 ou une copie de toute ordonnance dispensant de la signification.
3. Le consentement à l'adoption (formule 34F), mentionné à l'article 137 de la Loi, donné par chaque personne, autre que le requérant, qui est le père ou la mère de l'enfant, qui en a la garde légitime ou qui en assure la surveillance et dont l'existence est connue de la personne qui place l'enfant ou du requérant. Ce consentement peut être remplacé par une copie de toute ordonnance dispensant du consentement rendue en vertu de l'article 137.
4. Un affidavit (formule 34G) signé par le titulaire de permis ou par un employé autorisé de la société d'aide à l'enfance, si c'est elle qui place l'enfant.
5. Si c'est un titulaire de permis qui place l'enfant, une copie du permis l'autorisant à procéder au placement au moment où il le fait.

DOCUMENTS ADDITIONNELS — PARENT OU BEAU-PARENT

(8) Si le requérant est un parent de l'enfant ou le conjoint du père ou de la mère de l'enfant, un affidavit signé par chaque requérant (formule 34H) est également déposé avec la requête.

BEAU-PARENT — REQUÊTE DISTINCTE

(9) La requête du conjoint du père ou de la mère de l'enfant ne doit pas être présentée de concert avec celle du père ou la mère, selon le cas, mais elle doit être accompagnée de son consentement (formule 34I).

CONSEILS JURIDIQUES INDÉPENDANTS — CONSENTEMENT DE L'ENFANT

(10) Le consentement de l'enfant qui doit être adopté est attesté par un représentant de l'avocat des enfants, qui remplit l'affidavit du témoin à la signature (formule 34J) attestant la fourniture de conseils juridiques indépendants.

CONSEILS JURIDIQUES INDÉPENDANTS — CONSENTEMENT DU PÈRE OU DE LA MÈRE MINEUR

(11) Le paragraphe (10) s'applique également au consentement d'une personne de moins de 18 ans qui est le père ou la mère de l'enfant qui doit être adopté ou qui a la garde légitime de l'enfant ou en assure la surveillance.

CONSEILS JURIDIQUES INDÉPENDANTS — CONSENTEMENT DU PÈRE OU DE LA MÈRE MAJEUR

(12) Le consentement d'une personne majeure qui est le père ou la mère de l'enfant qui doit être adopté ou qui a la garde légitime de l'enfant ou en assure la surveillance est attesté par un avocat indépendant, qui remplit l'affidavit du témoin à la signature attestant la fourniture de conseils juridiques indépendants.

REMISE D'UNE COPIE DU CONSENTEMENT À SON SIGNATAIRE

(13) La personne qui signe un consentement à l'adoption reçoit une copie du consentement et de l'affidavit du témoin à la signature attestant la fourniture de conseils juridiques indépendants.

MOTION EN RETRAIT DU CONSENTEMENT

(14) Malgré le paragraphe 5 (4) (lieu du déroulement des étapes autres que l'exécution), la motion en retrait du consentement à l'adoption est présentée :

- a) soit dans la municipalité où réside la personne qui a donné le consentement;
- b) soit à l'endroit que fixe le tribunal.

CLERK TO CHECK ADOPTION APPLICATION

- (15) Before the application is presented to a judge, the clerk shall,
- (a) review the application and other documents filed to see whether they are in order; and
 - (b) prepare a certificate (Form 34K).

RULE 35: CHANGE OF NAME**TIME FOR APPLICATION**

35. (1) An application under subsection 7 (3) (application to court for change of name) of the *Change of Name Act* shall be made within 30 days after the applicant is notified that the Registrar General has refused to make the requested change of name.

SERVICE ON THE REGISTRAR GENERAL

(2) The applicant shall serve the application and any supporting material on the Registrar General by delivering or mailing a copy of the documents to the Deputy Registrar General.

REGISTRAR GENERAL'S REASONS FOR REFUSAL

(3) Within 15 days after being served under subrule (2), the Registrar General may file reasons for refusing to make the requested change of name.

RULE 36: DIVORCE**APPLICATION FOR DIVORCE**

36. (1) Either spouse may start a divorce case by,
- (a) filing an application naming the other spouse as a respondent; or
 - (b) filing a joint application with no respondent.

JOINT APPLICATION

(2) In a joint application, the divorce and any other order sought shall be made only with the consent of both spouses.

ALLEGATION OF ADULTERY

(3) In an application for divorce claiming that the other spouse committed adultery with another person, that person does not need to be named, but if named, shall be served with the application and has all the rights of a respondent in the case.

MARRIAGE CERTIFICATE AND CENTRAL DIVORCE REGISTRY CERTIFICATE

(4) The court shall not grant a divorce until the following have been filed:

1. A marriage certificate or marriage registration certificate, unless the application states that it is impractical to obtain a certificate and explains why.
2. A report on earlier divorce cases started by either spouse, issued under the *Central Registry of Divorce Proceedings Regulations* (Canada).

DIVORCE BASED ON AFFIDAVIT EVIDENCE

(5) If the respondent files no answer, or files one and later withdraws it, the applicant shall file an affidavit (Form 36) that,

- (a) confirms that all the information in the application is correct, except as stated in the affidavit;

VÉRIFICATION DE LA REQUÊTE PAR LE GREFFIER

(15) Avant la présentation de la requête au juge, le greffier fait ce qui suit :

- a) il examine la requête et les autres documents qui ont été déposés pour voir s'ils sont en règle;
- b) il établit une attestation (formule 34K).

RÈGLE 35 : CHANGEMENT DE NOM**DÉLAI DE PRÉSENTATION DE LA REQUÊTE**

35. (1) L'auteur d'une demande de changement de nom dispose de 30 jours après qu'il est avisé que le registraire général de l'état civil a rejeté sa demande pour présenter une requête en vertu du paragraphe 7 (3) (requête en changement de nom) de la *Loi sur le changement de nom*.

SIGNIFICATION AU REGISTRAIRE GÉNÉRAL

(2) Le requérant signifie sa requête et tout document à l'appui au registraire général de l'état civil en en remettant ou en envoyant par la poste une copie au registraire général de l'état civil adjoint.

MOTIFS DU REJET

(3) Au plus tard 15 jours après que les documents mentionnés au paragraphe (2) lui sont signifiés, le registraire général de l'état civil peut déposer les motifs pour lesquels il a rejeté la demande de changement de nom.

RÈGLE 36 : DIVORCE**REQUÊTE EN DIVORCE**

36. (1) L'un ou l'autre des conjoints peut introduire une cause de divorce :

- a) soit en déposant une requête dans laquelle son conjoint est l'intimé;
- b) soit en déposant une requête conjointe sans intimé.

REQUÊTE CONJOINTE

(2) Dans une requête conjointe, l'ordonnance de divorce et toute autre ordonnance demandée ne sont rendues qu'avec le consentement des deux conjoints.

ALLÉGATION D'ADULTÈRE

(3) La personne qui soutient dans sa requête en divorce que son conjoint a commis un adultère n'est pas tenue de nommer la personne avec qui il l'a commis, mais si elle le fait, la personne en question reçoit signification de la requête et a tous les droits d'un intimé dans la cause.

CERTIFICAT DU MARIAGE OU DE SON ENREGISTREMENT

(4) Le tribunal ne doit pas accorder de divorce tant que les documents suivants n'ont pas été déposés :

1. Le certificat du mariage ou de son enregistrement, sauf si la requête précise qu'il n'est pas pratique d'obtenir un tel certificat et explique pourquoi.
2. Un rapport sur toute cause de divorce introduite dans le passé par l'un ou l'autre conjoint, rédigé aux termes du *Règlement sur le Bureau d'enregistrement des actions en divorce* (Canada).

DIVORCE AVEC PREUVE PAR AFFIDAVIT

(5) Si l'intimé ne dépose pas de défense ou qu'il en dépose une et la retire par la suite, le requérant dépose un affidavit (formule 36) :

- a) qui atteste que tous les renseignements contenus dans la requête sont exacts, à l'exception de ceux que précise l'affidavit;

- (b) if no marriage certificate or marriage registration certificate has been filed, provides sufficient information to prove the marriage;
- (c) contains proof of any previous divorce or the death of a party's previous spouse, unless the marriage took place in Canada;
- (d) contains the information about arrangements for support of any children of the marriage required by paragraph 11 (1) (b) of the *Divorce Act* (Canada), and attaches as exhibits the income and financial information required by section 21 of the child support guidelines; and
- (e) contains any other information necessary for the court to grant the divorce.

DRAFT DIVORCE ORDER

- (6) The applicant shall file with the affidavit,
 - (a) three copies of a draft divorce order (Form 25A);
 - (b) a stamped envelope addressed to each party; and
 - (c) if the divorce order is to contain a support order,
 - (i) an extra copy of the draft divorce order for the clerk to file with the Director of the Family Responsibility Office, and
 - (ii) two copies of a draft support deduction order.

CLERK TO PRESENT PAPERS TO JUDGE

- (7) When the documents mentioned in subrules (4) to (6) have been filed, the clerk shall prepare a certificate (Form 36A) and present the documents to a judge, who may,
 - (a) grant the divorce as set out in the draft order;
 - (b) have the clerk return the documents to the applicant to make any needed corrections; or
 - (c) grant the divorce but make changes to the draft order, or refuse to grant the divorce, after giving the applicant a chance to file an additional affidavit or come to court to explain why the order should be made without change.

DIVORCE CERTIFICATE

- (8) When a divorce takes effect, the clerk shall, on either party's request,
 - (a) check the continuing record to verify that,
 - (i) no appeal has been taken from the divorce order, or any appeal from it has been disposed of, and
 - (ii) no order has been made extending the time for an appeal, or any extended time has expired without an appeal; and
 - (b) if satisfied of those matters, issue a divorce certificate (Form 36B) and mail it to the parties, unless the court orders otherwise.

REGISTRATION OF ORDERS MADE OUTSIDE ONTARIO

- (9) If a court outside Ontario has made an order for support, custody or access under the *Divorce Act* (Canada), a person who wants it registered for enforcement in Ontario under paragraph 20 (3) (a) of that Act shall mail a certified copy of the order to the clerk at the office of the Superior Court of Justice in a municipality where the order may be enforced under subrule 5 (6).

- b) dans les cas où aucun certificat du mariage ou de son enregistrement n'a été déposé, qui fournit suffisamment de renseignements pour prouver le mariage;
- c) qui contient la preuve de tout divorce antérieur ou du décès du conjoint précédent d'une partie, sauf si le mariage a eu lieu au Canada;
- d) qui contient les renseignements sur les arrangements quant aux aliments des enfants à charge exigés par l'alinéa 11 (1) b) de la *Loi sur le divorce* (Canada) et qui joint en tant que pièce les renseignements sur le revenu et la situation financière exigés par l'article 21 des lignes directrices sur les aliments pour les enfants;
- e) qui contient tout autre renseignement dont le tribunal a besoin pour accorder le divorce.

PROJET D'ORDONNANCE DE DIVORCE

- (6) Le requérant dépose avec l'affidavit :
 - a) trois copies du projet d'ordonnance de divorce (formule 25A);
 - b) une enveloppe affranchie adressée à chaque partie;
 - c) si l'ordonnance de divorce doit comprendre une ordonnance alimentaire :
 - (i) une copie supplémentaire du projet d'ordonnance de divorce à déposer par le greffier auprès du directeur du Bureau des obligations familiales,
 - (ii) deux copies du projet d'ordonnance de retenue des aliments.

PRÉSENTATION DES DOCUMENTS AU JUGE

- (7) Après le dépôt des documents mentionnés aux paragraphes (4) à (6), le greffier établit une attestation (formule 36A) et présente les documents au juge, qui peut :
 - a) soit accorder le divorce conformément au projet d'ordonnance;
 - b) soit demander au greffier de retourner les documents au requérant pour qu'il y apporte les corrections nécessaires, le cas échéant;
 - c) soit accorder le divorce et modifier le projet d'ordonnance, soit refuser de l'accorder, après avoir donné au requérant l'occasion de déposer un autre affidavit ou de se présenter au tribunal pour expliquer pourquoi l'ordonnance devrait être rendue sans modification.

CERTIFICAT DE DIVORCE

- (8) Lorsqu'un divorce prend effet, le greffier fait ce qui suit à la demande de l'une ou l'autre partie :
 - a) il vérifie le dossier continu pour s'assurer :
 - (i) d'une part, qu'il n'a pas été interjeté appel de l'ordonnance de divorce ou qu'il a été statué sur tout appel interjeté,
 - (ii) d'autre part, qu'il n'a pas été rendu d'ordonnance de prolongation du délai d'appel ou que tout délai prolongé a expiré sans qu'un appel ait été interjeté;
 - b) s'il est convaincu de ces faits, il délivre un certificat de divorce (formule 36B) et l'envoie par la poste aux parties, sauf ordonnance contraire du tribunal.

ENREGISTREMENT DES ORDONNANCES RENDUES HORS DE L'ONTARIO

- (9) Quiconque désire faire enregistrer une ordonnance alimentaire, une ordonnance de garde ou une ordonnance de visite rendue aux termes de la *Loi sur le divorce* (Canada) par un tribunal situé hors de l'Ontario en vue de son exécution en Ontario comme le permet l'alinéa 20 (3) a) de cette loi envoie par la poste une copie certifiée conforme de l'ordonnance au greffier du greffe de la Cour supérieure de justice situé dans

RULE 37: RECIPROCAL ENFORCEMENT OF SUPPORT ORDERS**DEFINITIONS**

37. (1) In this rule,

“confirming court” means,

- (a) in the case of an order under section 19 of the *Divorce Act* (Canada), the court in Ontario or another province or territory of Canada that has jurisdiction to confirm a provisional variation of the order,
- (b) for the purpose of section 44 of the *Family Law Act*,
 - (i) the Ontario Court of Justice sitting in the municipality where the respondent resides, or
 - (ii) the Family Court of the Superior Court of Justice, if the respondent resides in an area where that court has jurisdiction, or
- (c) for the purpose of the *Reciprocal Enforcement of Support Orders Act* and any similar Act in a reciprocating state, the court in Ontario or a reciprocating state having jurisdiction to confirm a provisional order under that Act; (“tribunal d’homologation”)

“final order” has the same meaning as in the *Reciprocal Enforcement of Support Orders Act*; (“ordonnance définitive”)

“originating court” means,

- (a) in the case of an order under section 18 of the *Divorce Act* (Canada), the court in Ontario or another province or territory of Canada that has jurisdiction under section 5 of that Act to deal with an application for a provisional variation of the order,
- (b) for the purpose of section 44 of the *Family Law Act*,
 - (i) the Ontario Court of Justice sitting in the municipality where the provisional order is made, or
 - (ii) the Family Court of the Superior Court of Justice when it makes the provisional order, or
- (c) for the purpose of the *Reciprocal Enforcement of Support Orders Act* and any similar Act in a reciprocating state, the court in Ontario or a reciprocating state having jurisdiction to deal with an application for a provisional order under that Act; (“tribunal d’origine”)

“reciprocating state” has the same meaning as in the *Reciprocal Enforcement of Support Orders Act*. (“État accordant la réciprocité”)

DOCUMENTS TO BE SENT TO CONFIRMING COURT

(2) When the court makes a provisional order under section 18 of the *Divorce Act* (Canada), section 44 of the *Family Law Act* or section 3 of the *Reciprocal Enforcement of Support Orders Act*, the clerk shall send three certified copies of the following to the confirming court (if it is in Ontario) or to the Attorney General to be sent to the confirming court (if it is outside Ontario):

1. The application.
2. The applicant’s financial statement.

une municipalité où l’ordonnance peut être exécutée en vertu du paragraphe 5 (6).

RÈGLE 37 : EXÉCUTION RÉCIPROQUE D’ORDONNANCES ALIMENTAIRES**DÉFINITIONS**

37. (1) Les définitions qui suivent s’appliquent à la présente règle.

«État accordant la réciprocité» S’entend au sens de la *Loi sur l’exécution réciproque d’ordonnances alimentaires*. («reciprocating state»)

«ordonnance définitive» S’entend au sens de la *Loi sur l’exécution réciproque d’ordonnances alimentaires*. («final order»)

«tribunal d’homologation» S’entend de ce qui suit :

- a) dans le cas d’une ordonnance rendue en vertu de l’article 19 de la *Loi sur le divorce* (Canada), le tribunal de l’Ontario ou d’une autre province ou d’un territoire du Canada qui a compétence pour homologuer une modification conditionnelle de l’ordonnance;
- b) pour l’application de l’article 44 de la *Loi sur le droit de la famille* :
 - (i) la Cour de justice de l’Ontario siégeant dans la municipalité où réside l’intimé,
 - (ii) la Cour de la famille de la Cour supérieure de justice, si l’intimé réside dans un secteur où ce tribunal a compétence;
- c) pour l’application de la *Loi sur l’exécution réciproque d’ordonnances alimentaires* et de toute loi semblable d’un État accordant la réciprocité, le tribunal de l’Ontario ou de l’État accordant la réciprocité qui a compétence pour homologuer une ordonnance conditionnelle en vertu de cette loi. («confirming court»)

«tribunal d’origine» S’entend de ce qui suit :

- a) dans le cas d’une ordonnance rendue en vertu de l’article 18 de la *Loi sur le divorce* (Canada), le tribunal de l’Ontario ou d’une autre province ou d’un territoire du Canada qui a compétence en vertu de l’article 5 de cette loi pour traiter une requête en modification conditionnelle de l’ordonnance;
- b) pour l’application de l’article 44 de la *Loi sur le droit de la famille* :
 - (i) la Cour de justice de l’Ontario siégeant dans la municipalité où l’ordonnance conditionnelle est rendue,
 - (ii) la Cour de la famille de la Cour supérieure de justice, si c’est elle qui rend l’ordonnance conditionnelle;
- c) pour l’application de la *Loi sur l’exécution réciproque d’ordonnances alimentaires* et de toute loi semblable d’un État accordant la réciprocité, le tribunal de l’Ontario ou de l’État accordant la réciprocité qui a compétence pour traiter une requête visant à obtenir une ordonnance conditionnelle en vertu de cette loi. («originating court»)

DOCUMENTS À ENVOYER AU TRIBUNAL D’HOMOLOGATION

(2) Lorsque le tribunal rend une ordonnance conditionnelle en vertu de l’article 18 de la *Loi sur le divorce* (Canada), de l’article 44 de la *Loi sur le droit de la famille* ou de l’article 3 de la *Loi sur l’exécution réciproque d’ordonnances alimentaires*, le greffier envoie au tribunal d’homologation (s’il est situé en Ontario) ou au procureur général pour envoi au tribunal d’homologation (s’il est situé hors de l’Ontario) trois copies certifiées conformes de chacun des documents suivants :

1. La requête.
2. L’état financier du requérant.

3. The applicant's evidence and, if reasonably possible, the exhibits.
4. The provisional order.
5. A statement giving any information about the respondent's identification, whereabouts, income, assets and liabilities.
6. If the confirming court is in a reciprocating state, a copy of the relevant provisions of the *Family Law Act* and of the *Reciprocal Enforcement of Support Orders Act*.
7. If the confirming court is in another municipality in Ontario, proof that the application was served on the respondent.

NO FINANCIAL STATEMENT FROM FOREIGN APPLICANT

(3) When a confirming court in Ontario receives a provisional order made outside Ontario, the applicant does not have to file a financial statement.

NOTICE OF CONFIRMATION HEARING

(4) A clerk of a confirming court in Ontario who receives a provisional order shall,

- (a) serve a notice of confirmation hearing (Form 37) and a copy of the documents sent by the originating court on the respondent, by special service (subrule 6 (3)); and
- (b) mail a notice of confirmation hearing and an information sheet (Form 37A) to the applicant and to the clerk of the originating court.

RESPONDENT'S FINANCIAL STATEMENT

(5) A respondent at a confirmation hearing under section 19 of the *Divorce Act* (Canada) or under section 5 of the *Reciprocal Enforcement of Support Orders Act* shall serve and file a financial statement (Form 13) within 10 days after service of the notice of confirmation hearing.

REQUEST FOR MORE EVIDENCE

(6) A clerk of an originating court in Ontario who receives a request for more evidence from the confirming court shall mail to the applicant a notice for taking more evidence (Form 37B) and a copy of the documents sent by the confirming court.

MATERIAL TO ACCOMPANY REQUEST FOR MORE EVIDENCE

(7) If a confirming court sends a case back to the originating court for more evidence, the clerk shall send to the originating court two certified copies of the evidence taken in the confirming court.

CONTINUING THE CONFIRMATION HEARING

(8) The clerk of a confirming court who receives more evidence from the originating court shall serve the respondent with a notice of continuation of confirmation hearing (Form 37C) and a copy of the documents sent by the originating court.

NOTICE OF REGISTRATION OF EXTRA-PROVINCIAL ORDER

(9) A notice of registration of a final order from a reciprocating state under subsection 2 (2) of the *Reciprocal Enforcement of Support Orders Act* shall be in Form 37D.

TURNING AN ONTARIO ORDER INTO A REGISTERED ORDER

(10) A clerk who receives a request under subsection 2 (3) of the *Reciprocal Enforcement of Support Orders Act*,

3. Les preuves et, si cela est raisonnablement possible, les pièces fournies par le requérant.
4. L'ordonnance conditionnelle.
5. Une déclaration donnant des précisions sur l'identité de l'intimé, le lieu où il se trouve, son revenu, ses avoirs et ses obligations.
6. Si le tribunal d'homologation est situé dans un État accordant la réciprocité, une copie des dispositions applicables de la *Loi sur le droit de la famille* et de la *Loi sur l'exécution réciproque d'ordonnances alimentaires*.
7. Si le tribunal d'homologation est situé dans une autre municipalité de l'Ontario, la preuve que la requête a été signifiée à l'intimé.

ÉTAT FINANCIER NON EXIGÉ DU REQUÉRANT ÉTRANGER

(3) Si un tribunal d'homologation de l'Ontario reçoit une ordonnance conditionnelle qui a été rendue hors de l'Ontario, le requérant n'est pas tenu de déposer d'état financier.

AVIS D'AUDIENCE D'HOMOLOGATION

(4) Le greffier d'un tribunal d'homologation de l'Ontario qui reçoit une ordonnance conditionnelle :

- a) signifie à l'intimé, par voie de signification spéciale (paragraphe 6 (3)), un avis d'audience d'homologation (formule 37) et une copie des documents envoyés par le tribunal d'origine;
- b) envoie par la poste un avis d'audience d'homologation et une feuille de renseignements (formule 37A) au requérant et au greffier du tribunal d'origine.

ÉTAT FINANCIER DE L'INTIMÉ

(5) L'intimé à une audience d'homologation tenue aux termes de l'article 19 de la *Loi sur le divorce* (Canada) ou de l'article 5 de la *Loi sur l'exécution réciproque d'ordonnances alimentaires* signifie et dépose un état financier (formule 13) au plus tard 10 jours après que l'avis d'audience d'homologation lui est signifié.

DEMANDE DE PREUVES ADDITIONNELLES

(6) Le greffier d'un tribunal d'origine de l'Ontario qui reçoit une demande de preuves additionnelles de la part du tribunal d'homologation envoie par la poste au requérant un avis de demande de preuves additionnelles (formule 37B) et une copie des documents envoyés par le tribunal d'homologation.

DOCUMENTS DEVANT ACCOMPAGNER UNE DEMANDE DE PREUVES ADDITIONNELLES

(7) Si le tribunal d'homologation renvoie une cause au tribunal d'origine dans le but d'obtenir des preuves additionnelles, le greffier envoie au tribunal d'origine deux copies certifiées conformes des preuves recueillies par le tribunal d'homologation.

POURSUITE DE L'AUDIENCE D'HOMOLOGATION

(8) Le greffier d'un tribunal d'homologation qui reçoit des preuves additionnelles du tribunal d'origine signifie à l'intimé un avis de poursuite de l'audience d'homologation (formule 37C) et une copie des documents envoyés par le tribunal d'origine.

AVIS D'ENREGISTREMENT D'UNE ORDONNANCE EXTRAPROVINCIALE

(9) L'avis d'enregistrement d'une ordonnance définitive rendue dans un État accordant la réciprocité qui est mentionné au paragraphe 2 (2) de la *Loi sur l'exécution réciproque d'ordonnances alimentaires* est rédigé selon la formule 37D.

ENREGISTREMENT D'UNE ORDONNANCE DÉFINITIVE RENDUE EN ONTARIO

(10) Le greffier qui reçoit la demande mentionnée au paragraphe 2 (3) de la *Loi sur l'exécution réciproque d'ordonnances alimentaires* fait ce qui suit :

- (a) shall provide a certificate that,
 - (i) gives the date of registration, which shall be the date that the request is received, and
 - (ii) says that the final order mentioned in the request is effective from that date as a registered order for all purposes of that Act; and
- (b) shall add the request and a copy of the certificate to the continuing record.

RULE 38: APPEALS**APPEALS GOVERNED BY THIS RULE**

38. (1) This rule applies to appeals under the following:

Section 48 of the *Family Law Act*

Section 73 of the *Children's Law Reform Act*

Section 69 or 156 of the *Child and Family Services Act*

Section 11 of the *Change of Name Act*

Section 40 of the *Courts of Justice Act*

APPEAL TO SUPERIOR COURT OF JUSTICE—TIME, SERVICE AND FILING OF NOTICE

(2) To start an appeal from the Ontario Court of Justice to the Superior Court of Justice under any of the provisions listed in subrule (1), a party shall,

- (a) within 30 days after the date of the order being appealed, serve a notice of appeal (Form 38), by regular service (subrule 6 (2)), on,
 - (i) every other party affected by the appeal or entitled to appeal,
 - (ii) the clerk of the court in the place where the order was made, and
 - (iii) in an appeal under section 69 of the *Child and Family Services Act*, every other person entitled to notice under subsection 39 (3) of that Act who appeared at the hearing; and
- (b) within 10 days after serving the notice under clause (a), file it.

NAME OF CASE UNCHANGED

(3) The name of a case in an appeal shall be the same as the name of the case in the order being appealed, and shall also identify the parties as appellant and respondent.

GROUND(S) STATED IN NOTICE OF APPEAL

(4) The notice of appeal shall state the order that the appellant wants the appeal court to make and the legal grounds for the appeal.

OTHER GROUNDS

(5) At the hearing of the appeal, no grounds other than the ones stated in the notice of appeal may be argued unless the court gives permission.

APPEAL RECORD AND APPELLANT'S FACTUM

(6) The appellant shall, not later than 10 days before the hearing of the appeal, serve on the respondent and file an appeal record (subrule (7)) and an appellant's factum (subrule (8)).

a) il établit une attestation :

- (i) qui indique la date d'enregistrement, soit la date de réception de la demande,
- (ii) qui indique que l'ordonnance définitive mentionnée dans la demande est en vigueur à compter de cette date en tant qu'ordonnance enregistrée pour l'application de cette loi;

b) il verse la demande et une copie de l'attestation au dossier continu.

RÈGLE 38 : APPELS**APPELS RÉGÉS PAR LA PRÉSENTE RÈGLE**

38. (1) La présente règle s'applique aux appels interjetés en vertu des dispositions suivantes :

L'article 48 de la *Loi sur le droit de la famille*

L'article 73 de la *Loi portant réforme du droit de l'enfance*

L'article 69 ou 156 de la *Loi sur les services à l'enfance et à la famille*

L'article 11 de la *Loi sur le changement de nom*

L'article 40 de la *Loi sur les tribunaux judiciaires*

APPELS INTERJETÉS DEVANT LA COUR SUPÉRIEURE DE JUSTICE — SIGNIFICATION ET DÉPÔT DE L'AVIS

(2) La partie qui désire interjeter appel d'une ordonnance de la Cour de justice de l'Ontario devant la Cour supérieure de justice en vertu de l'une ou l'autre des dispositions énumérées au paragraphe (1) fait ce qui suit :

- a) elle signifie par voie de signification ordinaire (paragraphe 6 (2)), au plus tard 30 jours après la date de l'ordonnance portée en appel, un avis d'appel (formule 38) aux personnes suivantes :
 - (i) toute autre partie qui est concernée par l'appel ou qui a le droit d'interjeter appel,
 - (ii) le greffier du tribunal de l'endroit où l'ordonnance a été rendue,
 - (iii) dans le cas d'un appel interjeté en vertu de l'article 69 de la *Loi sur les services à l'enfance et à la famille*, toute autre personne qui était présente à l'audience et qui a le droit d'être avisée conformément au paragraphe 39 (3) de cette loi;
- b) elle dépose l'avis mentionné à l'alinéa a) au plus tard 10 jours après l'avoir signifié.

INTITULÉ DE LA CAUSE INCHANGÉ

(3) Dans un appel, l'intitulé de la cause est le même que celui de la cause qui figure dans l'ordonnance portée en appel, et les parties sont désignées comme appellant et intimé.

L'AVIS D'APPEL INDIQUE LES MOYENS D'APPEL

(4) L'avis d'appel indique l'ordonnance que l'appellant demande au tribunal d'appel ainsi que les moyens juridiques d'appel.

AUTRES MOYENS

(5) Lors de l'audition de l'appel, il ne peut être plaidé d'autres moyens que ceux énoncés dans l'avis d'appel, sauf avec la permission du tribunal.

DOSSIER D'APPEL ET MÉMOIRE DE L'APPELANT

(6) Au plus tard 10 jours avant l'audition de l'appel, l'appellant signifie un dossier d'appel (paragraphe (7)) et un mémoire de l'appellant (paragraphe (8)) à l'intimé et les dépose.

CONTENTS OF APPEAL RECORD

(7) The appeal record shall contain a copy of the following documents, in the following order:

1. A table of contents describing each document, including each exhibit, by its nature and date and, for an exhibit, by exhibit number or letter.
2. The notice of appeal.
3. The order being appealed, as signed, and any reasons given by the court appealed from, as well as a further printed copy of the reasons if they are handwritten.
4. A transcript of the oral evidence (which the parties to the appeal may agree to limit to the portions necessary for the appeal).
5. Any other material that was before the court appealed from and that is necessary for the appeal.

CONTENTS OF APPELLANT'S FACTUM

(8) The appellant's factum shall be not more than 30 pages long, shall be signed by the appellant's lawyer or, if none, by the appellant and shall consist of the following parts, containing paragraphs numbered consecutively from the beginning to the end of the factum:

1. Part 1: Identification. A statement identifying the appellant and respondent and the court appealed from, and stating the result in that court.
2. Part 2: Overview. A brief overview of the case and the issues on the appeal.
3. Part 3: Facts. A brief summary of the facts relevant to the appeal, with reference to the evidence by page and line as necessary.
4. Part 4: Issues. A brief statement of each issue, followed by a brief argument referring to the law relating to that issue.
5. Part 5: Order. A precise statement of the order the appeal court is asked to make, including any order for costs.
6. Part 6: Time estimate. An estimate of how much time will be needed for the appellant's oral argument, not including reply to the respondent's argument.
7. Part 7: List of authorities. A list of all statutes, regulations, rules, cases and other authorities referred to in the factum.
8. Part 8: Legislation. A copy of all relevant provisions of statutes, regulations and rules.

RESPONDENT'S FACTUM AND APPEAL RECORD

(9) The respondent shall, not later than three days before the hearing of the appeal, serve on every other party to the appeal and file,

- (a) a respondent's factum (subrule (10)); and
- (b) if applicable, a respondent's appeal record containing a copy of any material that was before the court appealed from and is necessary for the appeal but is not included in the appellant's appeal record.

CONTENTS OF RESPONDENT'S FACTUM

(10) The respondent's factum shall be not more than 30 pages long, shall be signed by the respondent's lawyer or, if none, by the respondent and shall consist of the following parts, containing paragraphs numbered consecutively from the beginning to the end of the factum:

CONTENU DU DOSSIER D'APPEL

(7) Le dossier d'appel contient une copie des documents suivants, dans l'ordre indiqué :

1. Une table des matières indiquant chaque document, y compris chaque pièce, selon sa nature et sa date et, dans le cas d'une pièce, selon son numéro ou sa lettre.
2. L'avis d'appel.
3. L'ordonnance portée en appel, telle qu'elle est signée, et les motifs donnés par le tribunal qui l'a rendue, ainsi qu'une copie imprimée des motifs s'ils sont écrits à la main.
4. La transcription des témoignages oraux qui, si les parties en conviennent, peut se limiter aux sections nécessaires aux fins de l'appel.
5. Tout autre document présenté devant le tribunal dont l'ordonnance est portée en appel et qui est nécessaire aux fins de l'appel.

CONTENU DU MÉMOIRE DE L'APPELANT

(8) Le mémoire de l'appellant ne doit pas dépasser 30 pages, est signé par l'avocat de l'appellant ou par l'appellant même s'il n'a pas d'avocat et comporte les parties suivantes, sous forme de paragraphes numérotés consécutivement du début à la fin :

1. Partie 1 : Identification. Identification de l'appellant, de l'intimé et du tribunal dont l'ordonnance est portée en appel et décision du tribunal.
2. Partie 2 : Aperçu. Bref aperçu de la cause et des questions en litige.
3. Partie 3 : Faits. Exposé succinct des faits se rapportant à l'appel, avec renvoi à la preuve par mention de la page et de la ligne si nécessaire.
4. Partie 4 : Questions en litige. Description succincte de chaque question en litige suivie d'une brève argumentation avec renvoi aux points de droit pertinents.
5. Partie 5 : Ordonnance. Exposé précis de l'ordonnance que l'appelant demande au tribunal d'appel, y compris toute ordonnance d'adjudication des dépens, le cas échéant.
6. Partie 6 : Estimation de la durée. Estimation du temps qu'il faudra pour la plaidoirie de l'appellant, sans compter la réponse à celle de l'intimé.
7. Partie 7 : Liste des éléments de doctrine et de jurisprudence. Liste exhaustive des lois, règlements, règles, causes et autres éléments de jurisprudence mentionnés dans le mémoire.
8. Partie 8 : Textes de loi. Copie de toutes les dispositions pertinentes de lois, de règlements et de règles.

MÉMOIRE ET DOSSIER D'APPEL DE L'INTIMÉ

(9) Au plus tard trois jours avant l'audition de l'appel, l'intimé signifie à chaque autre partie et dépose :

- a) un mémoire de l'intimé (paragraphe (10));
- b) s'il y a lieu, un dossier d'appel de l'intimé contenant une copie des documents qui ont été présentés au tribunal dont l'ordonnance est portée en appel et qui sont nécessaires aux fins de l'appel mais qui ne figurent pas déjà dans le dossier d'appel de l'appelant.

CONTENU DU MÉMOIRE DE L'INTIMÉ

(10) Le mémoire de l'intimé ne doit pas dépasser 30 pages, est signé par l'avocat de l'intimé ou par l'intimé s'il n'a pas d'avocat et comporte les parties suivantes, sous forme de paragraphes numérotés consécutivement du début à la fin :

1. **Part 1: Overview.** A brief overview of the case and the issues on the appeal.
2. **Part 2: Facts.** A brief statement of the facts in the appellant's factum that the respondent accepts as correct and the facts that the respondent says are incorrect, and a brief summary of any additional facts relied on by the respondent, with reference to the evidence by page and line as necessary.
3. **Part 3: Issues.** A statement of the respondent's position on each issue raised by the appellant, followed by a brief argument referring to the law relating to that issue.
4. **Part 4: Additional issues.** A brief statement of each additional issue raised by the respondent, followed by a brief argument referring to the law relating to that issue.
5. **Part 5: Order.** A precise statement of the order the appeal court is asked to make, including any order for costs.
6. **Part 6: Time estimate.** An estimate of how much time will be needed for the respondent's oral argument.
7. **Part 7: List of authorities.** A list of all statutes, regulations, rules, cases and other authorities referred to in the factum.
8. **Part 8: Legislation.** A copy of all relevant provisions of statutes, regulations and rules not included in the appellant's factum.

PROMPT HEARING OF CFSA APPEALS

(11) An appeal under the *Child and Family Services Act* shall be heard within 30 days after the appellant's factum and appeal record are filed.

APPEALS UNDER CFSA FROM FAMILY COURT TO DIVISIONAL COURT

(12) Subrules (2) to (11) apply, with necessary changes, to an appeal under the *Child and Family Services Act* from the Family Court of the Superior Court of Justice to the Divisional Court.

MOTION FOR PERMISSION TO APPEAL TEMPORARY ORDER TO DIVISIONAL COURT

(13) On a motion for permission to appeal a temporary order to the Divisional Court under clause 19 (1) (b) of the *Courts of Justice Act*, the following apply:

1. A motion made in Toronto shall be heard by a judge of the Divisional Court (other than the one who made the order to be appealed). A motion made anywhere else may be heard by any judge other than the one who made the order to be appealed.
2. The notice of motion shall be served and filed within 30 days after the date of the order to be appealed.
3. Permission to appeal shall not be given unless,
 - i. there is a conflicting decision by another judge or court in Ontario or elsewhere on the matter involved in the proposed appeal, or there appears to the judge hearing the motion good reason to doubt the correctness of the order in question, and
 - ii. in the judge's opinion, permission to appeal should be granted.

1. **Partie 1 : Aperçu.** Bref aperçu de la cause et des questions en litige.
2. **Partie 2 : Faits.** Exposé succinct des faits présentés dans le mémoire de l'appelant avec lesquels l'intimé est d'accord et de ceux avec lesquels il n'est pas d'accord et exposé succinct des faits additionnels, le cas échéant, qu'il invoque, avec renvoi à la preuve par mention de la page et de la ligne si nécessaire.
3. **Partie 3 : Questions en litige.** Exposé de la position de l'intimé sur chaque question en litige soulevée par l'appelant, suivi d'une brève argumentation avec renvoi aux points de droit pertinents.
4. **Partie 4 : Questions en litige additionnelles.** Description succincte de chaque question en litige additionnelle soulevée par l'intimé, suivie d'une brève argumentation avec renvoi aux points de droit pertinents.
5. **Partie 5 : Ordonnance.** Exposé précis de l'ordonnance que l'intimé demande au tribunal d'appel, y compris toute ordonnance d'adjudication des dépens, le cas échéant.
6. **Partie 6 : Estimation de la durée.** Estimation du temps qu'il faudra pour la plaidoirie de l'intimé.
7. **Partie 7 : Liste des éléments de doctrine et de jurisprudence.** Liste exhaustive des lois, règlements, règles, causes et autres éléments de jurisprudence mentionnés dans le mémoire.
8. **Partie 8 : Textes de loi.** Copie de toutes les dispositions pertinentes de lois, de règlements et de règles qui ne sont pas déjà incluses dans le mémoire de l'appelant.

APPELS INTERJETÉS EN VERTU DE LA LOI SUR LES SERVICES À L'ENFANCE ET À LA FAMILLE

(11) L'appel interjeté en vertu de la *Loi sur les services à l'enfance et à la famille* est entendu au plus tard 30 jours après le dépôt du mémoire et du dossier d'appel de l'appelant.

APPEL DES ORDONNANCES DE LA COUR DE LA FAMILLE DEVANT LA COUR DIVISIONNAIRE

(12) Les paragraphes (2) à (11) s'appliquent, avec les adaptations nécessaires, aux appels des ordonnances de la Cour de la famille de la Cour supérieure de justice interjetés en vertu de la *Loi sur les services à l'enfance et à la famille* devant la Cour divisionnaire.

MOTION EN PERMISSION D'INTERJETER APPEL D'UNE ORDONNANCE TEMPORAIRE DEVANT LA COUR DIVISIONNAIRE

(13) Les règles suivantes s'appliquent à l'égard d'une motion en permission d'interjeter appel d'une ordonnance temporaire devant la Cour divisionnaire en vertu de l'alinéa 19 (1) b) de la *Loi sur les tribunaux judiciaires* :

1. La motion qui est présentée à Toronto est entendue par un juge de la Cour divisionnaire (qui est différent de celui qui a rendu l'ordonnance devant être portée en appel). La motion qui est présentée ailleurs peut être entendue par n'importe quel juge, sauf celui qui a rendu l'ordonnance qui doit être portée en appel.
2. L'avis de motion est signifié et déposé dans un délai de 30 jours à compter de la date de l'ordonnance qui doit être portée en appel.
3. La permission d'interjeter appel n'est accordée que si les conditions suivantes sont réunies :
 - i. un autre juge ou un autre tribunal de l'Ontario ou d'ailleurs a rendu une décision incompatible sur la question qui fait l'objet de l'appel projeté ou le juge qui entend la motion a de bonnes raisons de douter du bien-fondé de l'ordonnance en cause,
 - ii. le juge est d'avis que la permission d'interjeter appel devrait être accordée.

4. The party asking for permission to appeal shall, when filing the notice of motion, request that the continuing record be sent to the judge hearing the motion.
5. Each party shall serve a factum as described in subrule (8) (appellant's factum) and file it not later than 2 p.m. on the day before the motion is heard.
6. The party asking for permission to appeal shall file a confirmation form (Form 14C) not later than 2 p.m. on the day before the motion is heard.
7. The judge shall give brief written reasons if permission to appeal is given.
8. The appellant shall serve and file the notice of appeal within seven days after permission is given.
9. The appeal is governed by the Rules of Civil Procedure and these rules do not apply.

RULE 39: CASE MANAGEMENT IN FAMILY COURT OF SUPERIOR COURT OF JUSTICE

CASE MANAGEMENT IN CERTAIN AREAS ONLY

39. (1) This rule applies only to cases in the Family Court of the Superior Court of Justice, which has jurisdiction in the municipalities listed in subrule 1 (3).

ENFORCEMENT AND CHILD PROTECTION EXCLUDED

(2) This rule does not apply to enforcements or to child protection cases.

PARTIES MAY NOT LENGTHEN TIMES

(3) A time set out in this rule may be lengthened only by order of the case management judge and not by the parties' consent under subrule 3 (6).

FAST TRACK

(4) Applications to which this rule applies, except the ones mentioned in subrule (7), and motions to change a final order or agreement are fast track cases (subrules (5) and (6)).

FAST TRACK—FIRST COURT DATE

(5) In a fast track case the clerk shall, on or before the first court date,

- (a) confirm that all necessary documents have been served and filed;
- (b) refer the parties to sources of information about the court process, alternatives to court (including mediation), the effects of separation and divorce on children and community resources that may help the parties and their children;
- (c) if no answer has been filed in response to an application, or if no affidavit has been filed in response to a motion to change a final order or agreement, send the case to a judge for a decision on the basis of affidavit evidence; and
- (d) if an answer has been filed in response to an application, or if an affidavit has been filed in response to a motion to change a final order or agreement, confirm that the case is ready for a hearing, case conference or settlement conference and schedule it accordingly.

4. La partie qui demande la permission d'interjeter appel demande, au moment où elle dépose l'avis de motion, que le dossier continu soit envoyé au juge qui entendra la motion.
5. Chaque partie signifie un mémoire conforme au paragraphe (8) (mémoire de l'appellant) et le dépose au plus tard à 14 heures le jour où la motion doit être entendue.
6. La partie qui demande la permission d'interjeter appel dépose une confirmation (formule 14C) au plus tard à 14 heures le jour où la motion doit être entendue.
7. Si la permission d'interjeter appel est accordée, le juge en donne brièvement les motifs par écrit.
8. L'appellant signifie et dépose l'avis d'appel au plus tard sept jours après que la permission est accordée.
9. L'appel est régi par les Règles de procédure civile et les présentes règles ne s'appliquent pas à lui.

RÈGLE 39 : GESTION DES CAUSES PORTÉES DEVANT LA COUR DE LA FAMILLE DE LA COUR SUPÉRIEURE DE JUSTICE

GESTION DES CAUSES DANS CERTAINS SECTEURS SEULEMENT

39. (1) La présente règle ne s'applique qu'aux causes portées devant la Cour de la famille de la Cour supérieure de justice, qui a compétence dans les municipalités énumérées au paragraphe 1 (3).

EXCLUSION DES PROCÉDURES D'EXÉCUTION ET DES CAUSES PORTANT SUR LA PROTECTION D'UN ENFANT

(2) La présente règle ne s'applique ni aux procédures d'exécution ni aux causes portant sur la protection d'un enfant.

INHABILITÉ DES PARTIES À PROLONGER LES DÉLAIS

(3) Tout délai fixé dans la présente règle ne peut être prolongé que par ordonnance du juge responsable de la gestion de la cause et non pas du consentement des parties prévu au paragraphe 3 (6).

VOIE ACCÉLÉRÉE

(4) Les requêtes auxquelles s'applique la présente règle, sauf celles mentionnées au paragraphe (7), ainsi que les motions en modification d'une ordonnance définitive ou d'un accord constituent des causes régies par la voie accélérée (paragraphe (5) et (6)).

VOIE ACCÉLÉRÉE — PREMIÈRE DATE D'AUDIENCE

(5) Dans une cause régie par la voie accélérée, le greffier, au plus tard à la première date d'audience, fait ce qui suit :

- a) il confirme que tous les documents nécessaires ont été signifiés et déposés;
- b) il renvoie les parties à des sources d'information au sujet du processus judiciaire, des modes de règlement extrajudiciaire (y compris la médiation), des effets de la séparation et du divorce sur les enfants et des ressources communautaires susceptibles d'aider les parties et leurs enfants;
- c) si aucune défense n'a été déposée en réponse à une requête, ou si aucun affidavit n'a été déposé en réponse à une motion en modification d'une ordonnance définitive ou d'un accord, il renvoie la cause à un juge pour qu'il rende une décision sur la foi des témoignages donnés par affidavit;
- d) si une défense a été déposée en réponse à une requête, ou si un affidavit a été déposé en réponse à une motion en modification d'une ordonnance définitive ou d'un accord, il confirme que la cause est prête pour la tenue d'une audience, d'une conférence relative à la cause ou d'une conférence en vue d'un règlement amiable et en fixe la date en conséquence.

FAST TRACK—CASE MANAGEMENT JUDGE ASSIGNED AT START

(6) In a fast track case, a case management judge shall be assigned by the first time the case comes before a judge.

STANDARD TRACK

(7) Applications in which the applicant makes a claim for a divorce or a property claim are standard track cases (subrule (8)).

FEATURES OF STANDARD TRACK

(8) In a standard track case,

(a) the clerk shall not set a court date when the application is filed;

(b) a case management judge shall be assigned when a case conference is scheduled or when a notice of motion is served before a case conference has been held (subrule 14 (4), (5) or (6)), whichever comes first; and

(c) the clerk shall schedule a case conference on any party's request.

FUNCTIONS OF CASE MANAGEMENT JUDGE

(9) The case management judge assigned to a case,

(a) shall generally supervise its progress;

(b) shall conduct the case conference and the settlement conference;

(c) may schedule a case conference or settlement conference at any time, on the judge's own initiative;

(d) shall hear motions in the case, when available to hear motions; and

(e) may, on motion, set aside an order of the clerk under subrule (12).

SUBSTITUTE CASE MANAGEMENT JUDGE

(10) If the case management judge is, for any reason, unavailable to continue as the case management judge, another case management judge may be assigned for part or all of the case.

NOTICE, CASE NOT SCHEDULED FOR TRIAL AFTER 200 DAYS

(11) If a case has not been scheduled for trial within 200 days after it was started, the clerk shall serve a notice (Form 39) on the parties by mail, fax or electronic mail saying that the case will be dismissed without further notice unless one of the parties, within 30 days after the notice is served,

(a) files an agreement signed by all parties and their lawyers, if any, for a final order disposing of all issues in the case, and a notice of motion for an order carrying out the agreement; or

(b) arranges a case conference or settlement conference for the first available date.

VOIE ACCÉLÉRÉE — AFFECTATION D'UN JUGE RESPONSABLE DE LA GESTION DE LA CAUSE DÈS LE DÉBUT

(6) Un juge responsable de la gestion de la cause est affecté à une cause régie par la voie accélérée avant que la cause ne soit portée devant un juge pour la première fois.

VOIE ORDINAIRE

(7) Les requêtes dans lesquelles le requérant présente une demande de divorce ou une demande portant sur des biens constituent des causes régies par la voie ordinaire (paragraphe (8)).

CARACTÉRISTIQUES DE LA VOIE ORDINAIRE

(8) Dans le cas d'une cause régie par la voie ordinaire :

a) le greffier ne fixe pas de date d'audience lors du dépôt de la requête;

b) un juge responsable de la gestion de la cause est affecté à la cause dès qu'une date pour la tenue d'une conférence relative à la cause est fixée ou qu'un avis de motion est signifié avant qu'une conférence relative à la cause n'ait été tenue (paragraphe 14 (4), (5) ou (6)), selon celui de ces deux événements qui se produit le premier;

c) le greffier fixe une date pour la tenue d'une conférence relative à la cause à la demande d'une partie quelconque.

FONCTIONS DU JUGE RESPONSABLE DE LA GESTION DE LA CAUSE

(9) Le juge responsable de la gestion de la cause affecté à une cause :

a) en surveille le déroulement de façon générale;

b) tient la conférence relative à la cause et la conférence en vue d'un règlement amiable;

c) peut, à quelque moment que ce soit et de sa propre initiative, fixer une date pour la tenue d'une conférence relative à la cause ou d'une conférence en vue d'un règlement amiable;

d) entend les motions présentées dans le cadre de la cause, lorsqu'il est disponible pour le faire;

e) peut, sur motion, annuler une ordonnance du greffier rendue aux termes du paragraphe (12).

JUGE RESPONSABLE DE LA GESTION DE LA CAUSE SUPPLÉANT

(10) Si le juge responsable de la gestion de la cause n'est pas en mesure, pour quelque raison que ce soit, de continuer à agir à ce titre, un autre juge responsable de la gestion de la cause peut être affecté à tout ou partie de la cause.

PRÉAVIS DANS LE CAS OÙ LA DATE DU PROCÈS N'EST PAS FIXÉE DANS LES 200 JOURS

(11) Si la date du procès n'a pas été fixée dans les 200 jours suivant l'introduction de la cause, le greffier signifie aux parties par la poste, par télécopie ou par courrier électronique un préavis (formule 39) indiquant que la cause sera rejetée sans autre avis, sauf si une des parties, dans les 30 jours qui suivent la signification du préavis :

a) soit dépose un accord signé par toutes les parties et leurs avocats, si elles en ont un, prévoyant l'obtention d'une ordonnance définitive tranchant toutes les questions en litige dans la cause, ainsi qu'un avis de motion visant l'obtention d'une ordonnance en exécution de l'accord;

b) soit prend les dispositions nécessaires pour qu'une conférence relative à la cause ou une conférence en vue d'un règlement amiable soit tenue à la première date qui se présente.

DISMISSAL AFTER NOTICE

(12) If the clerk serves a notice under subrule (11) and no party takes any of the steps set out in clauses (11) (a) and (b) within 30 days after the notice is served, the clerk shall prepare and sign an order dismissing the case, with no costs payable by any party.

SERVICE OF DISMISSAL ORDER BY CLERK

(13) The clerk shall serve the order on each party by mail, fax or electronic mail.

SERVICE OF DISMISSAL ORDER BY LAWYER ON CLIENT

(14) A lawyer who is served with a dismissal order on behalf of a client shall serve it on the client by mail, fax or electronic mail and file proof of service of the order.

TRANSITIONAL PROVISION

(15) If a case was started before these rules come into effect, but a party serves and files a document or requests a case conference after they come into effect,

- (a) the clerk shall serve the notice (Form 39) mentioned in subrule (11) if the case has not been scheduled for trial within 200 days after it was started or within 90 days after the party files the document or requests the case conference, whichever comes later; and
- (b) once the notice is served, this rule applies with necessary changes.

RULE 40: CASE MANAGEMENT IN ONTARIO COURT OF JUSTICE**CASE MANAGEMENT IN CERTAIN AREAS ONLY**

40. (1) This rule applies only to cases in the Ontario Court of Justice.

ENFORCEMENT AND CHILD PROTECTION EXCLUDED

(2) This rule does not apply to enforcements or to child protection cases.

PARTIES MAY NOT LENGTHEN TIMES

(3) A time set out in this rule may be lengthened only by order and not by the parties' consent under subrule 3 (6).

FIRST COURT DATE

- (4) The clerk shall, on or before the first court date,
 - (a) confirm that all necessary documents have been served and filed;
 - (b) refer the parties to sources of information about the court process, alternatives to court (including mediation), the effects of separation and divorce on children and community resources that may help the parties and their children;
 - (c) if no answer has been filed in response to an application, or if no affidavit has been filed in response to a motion to change a final order or agreement, send the case to a judge for a decision on the basis of affidavit evidence; and

REJET CONSÉCUTIF AU PRÉAVIS

(12) S'il signifie le préavis prévu au paragraphe (11) et qu'aucune partie ne prend l'une ou l'autre des mesures énoncées aux alinéas (11) a) et b) dans les 30 jours qui suivent la signification du préavis, le greffier prépare et signe une ordonnance rejetant la cause, sans qu'aucuns dépens soient imputés à une partie quelconque.

SIGNIFICATION DE L'ORDONNANCE DE REJET PAR LE GREFFIER

(13) Le greffier signifie l'ordonnance à chaque partie par la poste, par télécopie ou par courrier électronique.

SIGNIFICATION DE L'ORDONNANCE DE REJET PAR L'AVOCAT À SON CLIENT

(14) L'avocat à qui est signifiée une ordonnance de rejet au nom de son client la signifie à ce dernier par la poste, par télécopie ou par courrier électronique et en dépose la preuve de la signification.

DISPOSITION TRANSITOIRE

(15) Si une cause a été introduite avant l'entrée en vigueur des présentes règles, mais qu'une partie signifie et dépose un document ou demande la tenue d'une conférence relative à la cause après leur entrée en vigueur :

- a) d'une part, le greffier signifie le préavis (formule 39) mentionné au paragraphe (11) si la date du procès n'a pas été fixée dans les 200 jours suivant l'introduction de la cause ou dans les 90 jours suivant le dépôt du document par la partie ou la demande par celle-ci de la tenue de la conférence relative à la cause, selon celui de ces deux événements qui survient le dernier;
- b) d'autre part, une fois le préavis signifié, la présente règle s'applique avec les adaptations nécessaires.

RÈGLE 40 : GESTION DES CAUSES PORTÉES DEVANT LA COUR DE JUSTICE DE L'ONTARIO**GESTION DES CAUSES DANS CERTAINS SECTEURS SEULEMENT**

40. (1) La présente règle ne s'applique qu'aux causes portées devant la Cour de justice de l'Ontario.

EXCLUSION DES PROCÉDURES D'EXÉCUTION ET DES CAUSES PORTANT SUR LA PROTECTION D'UN ENFANT

(2) La présente règle ne s'applique ni aux procédures d'exécution ni aux causes portant sur la protection d'un enfant.

INHABILITÉ DES PARTIES À PROLONGER LES DÉLAIS

(3) Tout délai fixé dans la présente règle ne peut être prolongé que par ordonnance et non pas du consentement des parties prévu au paragraphe 3 (6).

PREMIÈRE DATE D'AUDIENCE

- (4) Le greffier, au plus tard à la première date d'audience, fait ce qui suit :
 - a) il confirme que tous les documents nécessaires ont été signifiés et déposés;
 - b) il renvoie les parties à des sources d'information au sujet du processus judiciaire, des modes de règlement extrajudiciaire (y compris la médiation), des effets de la séparation et du divorce sur les enfants et des ressources communautaires susceptibles d'aider les parties et leurs enfants;
 - c) si aucune défense n'a été déposée en réponse à une requête, ou si aucun affidavit n'a été déposé en réponse à une motion en modification d'une ordonnance définitive ou d'un accord, il renvoie la cause à un juge pour qu'il rende une décision sur la foi des témoignages donnés par affidavit;

- (d) if an answer has been filed in response to an application, or if an affidavit has been filed in response to a motion to change a final order or agreement, confirm that the case is ready for a hearing, case conference or settlement conference and schedule it accordingly.

NOTICE, CASE NOT SCHEDULED FOR TRIAL AFTER 200 DAYS

(5) If a case has not been scheduled for trial within 200 days after it was started, the clerk shall serve a notice (Form 39) on the parties by mail, fax or electronic mail saying that the case will be dismissed without further notice unless one of the parties, within 30 days after the notice is served,

- (a) files an agreement signed by all parties and their lawyers, if any, for a final order disposing of all issues in the case, and a notice of motion for an order carrying out the agreement; or

- (b) arranges a case conference or settlement conference for the first available date.

DISMISSAL AFTER NOTICE

(6) If the clerk serves a notice under subrule (5) and no party takes any of the steps set out in clauses (5) (a) and (b) within 30 days after the notice is served, the clerk shall prepare and sign an order dismissing the case, with no costs payable by any party.

SERVICE OF DISMISSAL ORDER BY CLERK

(7) The clerk shall serve the order on each party by mail, fax or electronic mail.

SERVICE OF DISMISSAL ORDER BY LAWYER ON CLIENT

(8) A lawyer who is served with a dismissal order on behalf of a client shall serve it on the client by mail, fax or electronic mail and file proof of service of the order.

JUDGE MAY SET CLERK'S ORDER ASIDE

(9) A judge may, on motion, set aside an order of the clerk under subrule (6).

TRANSITIONAL PROVISION

(10) If a case was started before these rules come into effect, but a party serves and files a document or requests a case conference after they come into effect,

- (a) the clerk shall serve the notice (Form 39) mentioned in subrule (5) if the case has not been scheduled for trial within 200 days after it was started or within 90 days after the party files the document or requests the case conference, whichever comes later; and

- (b) once the notice is served, subrules (5) to (9) apply with necessary changes.

41. Regulation 202 of the Revised Regulations of Ontario, 1990 and Ontario Regulations 72/92, 468/93, 282/95, 429/97, 215/98 and 294/98 are revoked.

42. Regulation 199 of the Revised Regulations of Ontario, 1990 and Ontario Regulations 705/91, 71/92, 467/93, 428/97, 216/98 and 293/98 are revoked.

- d) si une défense a été déposée en réponse à une requête, ou si un affidavit a été déposé en réponse à une motion en modification d'une ordonnance définitive ou d'un accord, il confirme que la cause est prête pour la tenue d'une audience, d'une conférence relative à la cause ou d'une conférence en vue d'un règlement amiable et en fixe la date en conséquence.

PRÉAVIS DANS LE CAS OÙ LA DATE DU PROCÈS N'EST PAS FIXÉE DANS LES 200 JOURS

(5) Si la date du procès n'a pas été fixée dans les 200 jours suivant l'introduction de la cause, le greffier signifie aux parties par la poste, par télécopie ou par courrier électronique un préavis (formule 39) indiquant que la cause sera rejetée sans autre avis, sauf si une des parties, dans les 30 jours qui suivent la signification du préavis :

- a) soit dépose un accord signé par toutes les parties et leurs avocats, si elles en ont un, prévoyant l'obtention d'une ordonnance définitive tranchant toutes les questions en litige dans la cause, ainsi qu'un avis de motion visant l'obtention d'une ordonnance en exécution de l'accord;

- b) soit prend les dispositions nécessaires pour qu'une conférence relative à la cause ou une conférence en vue d'un règlement amiable soit tenue à la première date qui se présente.

REJET CONSÉCUTIF AU PRÉAVIS

(6) S'il signifie le préavis prévu au paragraphe (5) et qu'aucune partie ne prend l'une ou l'autre des mesures énoncées aux alinéas (5) a) et b) dans les 30 jours qui suivent la signification du préavis, le greffier prépare et signe une ordonnance rejetant la cause, sans qu'aucuns dépens soient imputés à une partie quelconque.

SIGNIFICATION DE L'ORDONNANCE DE REJET PAR LE GREFFIER

(7) Le greffier signifie l'ordonnance à chaque partie par la poste, par télécopie ou par courrier électronique.

SIGNIFICATION DE L'ORDONNANCE DE REJET PAR L'AVOCAT À SON CLIENT

(8) L'avocat à qui est signifiée une ordonnance de rejet au nom de son client la signifie à ce dernier par la poste, par télécopie ou par courrier électronique et en dépose la preuve de la signification.

ANNULATION DE L'ORDONNANCE PAR UN JUGE

(9) Un juge peut, sur motion, annuler une ordonnance du greffier rendue aux termes du paragraphe (6).

DISPOSITION TRANSITOIRE

(10) Si une cause a été introduite avant l'entrée en vigueur des présentes règles, mais qu'une partie signifie et dépose un document ou demande la tenue d'une conférence relative à la cause après leur entrée en vigueur :

- a) d'une part, le greffier signifie le préavis (formule 39) mentionné au paragraphe (5) si la date du procès n'a pas été fixée dans les 200 jours suivant l'introduction de la cause ou dans les 90 jours suivant le dépôt du document par la partie ou la demande par celle-ci de la tenue de la conférence relative à la cause, selon celui de ces deux événements qui survient le dernier;

- b) d'autre part, une fois le préavis signifié, les paragraphes (5) à (9) s'appliquent avec les adaptations nécessaires.

41. Le Règlement 202 des Règlements refondus de l'Ontario de 1990 et les Règlements de l'Ontario 72/92, 468/93, 282/95, 429/97, 215/98 et 294/98 sont abrogés.

42. Le Règlement 199 des Règlements refondus de l'Ontario de 1990 et les Règlements de l'Ontario 705/91, 71/92, 467/93, 428/97, 216/98 et 293/98 sont abrogés.

43. This Regulation comes into force on September 15, 1999.

43. Le présent règlement entre en vigueur le 15 septembre 1999.

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30	Avis d'audience sur le défaut	30 (1)
30A	Demande d'audience sur le défaut	30 (1)
30B	Contestation du défaut	30 (3)
31	Avis de motion pour outrage	31 (2)
32	Cautionnement (engagement)	32 (2)
32A	Avis de motion en confiscation	32 (7)
32B	Mandat d'arrêt	32 (12)
32C	Affidavit pour un mandat d'incarcération	32 (14)
32D	Mandat d'incarcération	32 (15)
33	Dénonciation en vue d'obtenir un mandat d'amener un enfant	33 (7)
33A	Mandat d'amener un enfant	33 (7)
33B	Programme de soins d'un enfant	33 (7)
33C	Exposé conjoint des faits (protection de l'enfance)	33 (7)
33D	Exposé conjoint des faits (révision de statut)	33 (7)
33E	Consentement de l'enfant au traitement en milieu fermé	33 (8)
33F	Consentement au traitement en milieu fermé (personne autre que l'enfant)	33 (8)
34	Consentement de l'enfant à l'adoption	34 (4)
34A	Affidavit de filiation	34 (4)
34B	Consentement d'une personne autre que le père ou la mère à l'adoption par le conjoint	34 (4)
34C	Déclaration du directeur ou du directeur local au sujet de l'adoption	34 (4)
34D	Affidavit du/de la requérant(e) qui demande l'adoption	34 (4)
34E	Consentement du directeur à l'adoption	34 (6)
34F	Consentement du père, de la mère ou du gardien à l'adoption	34 (7)
34G	Affidavit du titulaire de permis ou de l'employé de la société	34 (7)

Form number	Title	Rule creating form
34H	Affidavit of adopting relative or step-parent	34 (8)
34I	Parent's consent to adoption by spouse	34 (9)
34J	Affidavit of execution and independent legal advice (Children's Lawyer)	34 (10)
34K	Certificate of clerk (adoption)	34 (15)
36	Affidavit for divorce	36 (5)
36A	Certificate of clerk (divorce)	36 (7)
36B	Divorce certificate	36 (8)
37	Notice of confirmation hearing	37 (4)
37A	Information sheet (confirmation hearing)	37 (4)
37B	Notice for taking more evidence	37 (6)
37C	Notice of continuation of confirmation hearing	37 (8)
37D	Notice of registration of final order from reciprocating state	37 (9)
38	Notice of appeal	38 (2)
39	Notice of Approaching Dismissal	39 (11)

Numéro de la formule	Titre	Règle créant la formule
34H	Affidavit du parent adoptif ou du conjoint adoptif du père ou de la mère	34 (8)
34I	Consentement du père ou de la mère à l'adoption par le conjoint	34 (9)
34J	Affidavit de témoin à la signature attestant la fourniture de conseils juridiques indépendants (avocat des enfants)	34 (10)
34K	Attestation du greffier (adoption)	34 (15)
36	Affidavit de divorce	36 (5)
36A	Attestation du greffier (divorce)	36 (7)
36B	Certificat de divorce	36 (8)
37	Avis d'audience d'homologation	37 (4)
37A	Feuille de renseignements (audience d'homologation)	37 (4)
37B	Avis de demande de preuves additionnelles	37 (6)
37C	Avis de poursuite de l'audience d'homologation	37 (8)
37D	Avis d'enregistrement d'une ordonnance définitive	37 (9)
38	Avis d'appel	38 (2)
39	Préavis de rejet imminent	39 (11)

Court File Number

(Name of court)

**Form 4: Notice of
Change in Representation**at _____
Court office address**Applicant(s)**Full legal name & address for service — street & number, municipality,
postal code, telephone & fax and e-mail address (if any).Lawyer's name & address — street & number, municipality, postal code,
telephone & fax numbers and e-mail address (if any).**Respondent(s)**Full legal name & address for service — street & number, municipality,
postal code, telephone & fax numbers and e-mail address (if any).Lawyer's name & address — street & number, municipality, postal code,
telephone & fax numbers and e-mail address (if any).**TO ALL PARTIES AND THEIR LAWYERS
FROM (name)**

Name, address, telephone & fax numbers and e-mail address

- ☐ I have chosen a new lawyer. See details in the large box →
- ☐ I have decided to appear in court without a lawyer. Documents can be served on me at the address set out in the large box →
- ☐ I have the court's permission to be represented by a person who is not a lawyer. See the large box. A copy of the court order giving me permission is attached to this notice.

Signature_____
Date of signature

- NOTE:** 1. You must serve this notice on the lawyers for all of the other parties. If another party does not have a lawyer, you must serve it on the party. If you have been represented by a lawyer or other person who, because of this notice, is no longer going to represent you, you must also serve this notice on that lawyer or other person who used to represent you.
2. You can serve by any method set out in rule 6 of the Family Law Rules, including mail, courier and fax.
3. When you have served this notice, you must file it with the clerk of the court together with proof of service (Form 6B).

		Court File Number

(Name of court)		
at _____		
Court office address		
Form 6: Acknowledgement of Service		
You are asked to fill out and sign this card and to mail it immediately. If you do not return this card, the document(s) listed below may be personally served on you and you may be ordered to pay the costs of service.		
My name is: (full legal name)		
I may be served at: (address where court documents may be mailed to you)		
I acknowledge receiving a copy of the following document(s):		
<input type="checkbox"/> Application dated	<input type="checkbox"/> Notice of motion dated	
<input type="checkbox"/> Blank form of application	<input type="checkbox"/> Statement of money owed dated	
<input type="checkbox"/> Financial statement dated	<input type="checkbox"/> (Other: Give title and date of document.)	
<input type="checkbox"/> Blank form of financial statement		
<input type="checkbox"/> Answer dated		
<input type="checkbox"/> Blank form of answer		
<input type="checkbox"/> Affidavit of (name)		
dated		
Signature		Date of signature
NOTICE: The address that you give above will be used in future to serve documents by mail until you inform the other parties and the court office of a new address for service.		

FORM 6A
ADVERTISEMENT

[Name of court]

NOTICE TO: *(full legal name)*

A CASE HAS BEEN STARTED AGAINST YOU IN COURT at *(address: street & number, municipality, postal code)*

The next court date is *(date)*
at a.m./p.m. or as soon as possible after that time.

The court may make an order in this case that may affect your rights. You can get more information about this case from the court office at *(Write "the address above" or, if the court office is at a different address, give the street & number, municipality and postal code of the court office.)*

You may also get information about this case from *(name, address and telephone number of person publishing this advertisement)*.

IF YOU DO NOT COME TO COURT, AN ORDER MAY BE MADE WITHOUT YOU AND BE ENFORCED AGAINST YOU.

Court File Number

(Name of court)

.....
**Form 6B: Affidavit of
Service dated**

at _____
Court office address

Applicant(s)

<i>Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).</i>	<i>Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i>

Respondent(s)

<i>Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i>	<i>Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i>

My name is *(full legal name)*

I live in *(municipality & province)*

and I swear/affirm that the following is true:

1. On *(date)*, **I served** *(name of person to be served)*

with the following document(s) in this case:

<i>Name of document</i>	<i>Author (if applicable)</i>	<i>Date when document signed, issued, sworn, etc.</i>
-------------------------	-------------------------------	---

List the documents served.

NOTE: You can leave out any part of this form that is not applicable.

2. I served the documents mentioned in paragraph 1 by,

- Check one box only and go to indicated paragraph.*
- ☐ special service. *(Go to paragraph 3 below if you used special service.)*
 - ☐ mail. *(Go to paragraph 4 if you used mailed service.)*
 - ☐ courier. *(Go to paragraph 5 if you used courier.)*
 - ☐ deposit at a document exchange. *(Go to paragraph 6 if you used a document exchange.)*
 - ☐ fax. *(Go to paragraph 7 if you used fax.)*
 - ☐ substituted service or advertisement. *(Go to paragraph 8 if you used substituted service or advertisement.)*

3. I carried out special service of the document(s) on the person named in paragraph 1 at *(place or address)* **by:**

- Check one box only. Strike out paragraphs 4 to 8 and go to paragraph 9.*
- ☐ leaving a copy with the person.
 - ☐ leaving a copy with *(name)*
 - ☐ who is the person's lawyer and who accepted service on the person's behalf.
 - ☐ who is the *(office or position)* of the corporation named in paragraph 1.
 - ☐ mailing a copy to the person together with a prepaid return postcard in Form 6 in an envelope bearing

Continued on other side. ➡

Form 6B: Affidavit of
Service dated (page 2)

Court file number

the sender's return address. This postcard, in which receipt of the document(s) is acknowledged, was returned and is attached to this affidavit.

- ☐ leaving a copy in a sealed envelope addressed to the person at the person's place of residence with (name) who provided me with identification to show that he/she was an adult person residing at the same address and by mailing another copy of the same document(s) on the same or following day to the person named in paragraph 1 at that place of residence.
- ☐ (Other, specify. See rule 6 for details.)

4. I mailed the document(s) to be served by addressing the covering envelope to the person named in paragraph 1 at: (Set out address.)

which is the address

Check appropriate paragraph and strike out paragraphs 3, 5, 6, 7, 8 and 9.

- ☐ of the person's place of business.
☐ of the person's lawyer.
☐ of the person's home.
☐ on the document most recently filed in court by the person.
☐ (Other, specify.)

5. The document(s) to be served was/were placed in an envelope that was picked up at a.m./p.m. on (date) by (name of courier service)

a private courier service, a copy of whose receipt is attached to this affidavit. The envelope was addressed to the person named in paragraph 1 at: (Set out address.)

which is the address

Check appropriate paragraph and strike out paragraphs 3, 4, 6, 7, 8 and 9.

- ☐ of the person's place of business.
☐ of the person's lawyer.
☐ of the person's home.
☐ on the document most recently filed in court by the person.
☐ (Other, specify.)

6. The document(s) was/were deposited at a document exchange. The exchange's date stamp on the attached copy shows the date of deposit. (Strike out paragraphs 3, 4, 5, 7, 8 and 9.)

7. The document(s) to be served was/were faxed. The fax confirmation is attached to this affidavit. (Strike out paragraphs 3, 4, 5, 6, 8 and 9.)

8. An order of this court made on (date) allowed
☐ substituted service.
☐ service by advertisement. (Attach advertisement.)

The order was carried out as follows: (Give details. Then go to paragraph 9 if you had to travel to serve substitutionally or by advertisement.)

9. To serve the document(s), I had to travel kilometres. My fee for service of the document(s) is \$ including travel.

Sworn/Affirmed before me at

municipality

in

province, state or country

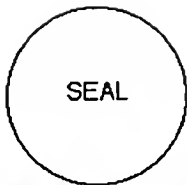
on

date

Commissioner for taking affidavits
(Type or print name below if signature is illegible.)

Signature

(This form is to be signed in front of a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)



(Name of court)

Court File Number

at

Court office address

Form 8: Application
(General)

Applicant(s)

<i>Full legal name & address for service — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i>	<i>Lawyer's name & address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i>

Respondent(s)

<i>Full legal name & address for service — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i>	<i>Lawyer's name & address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i>

TO THE RESPONDENT(S):
A COURT CASE HAS BEEN STARTED AGAINST YOU IN THIS COURT. THE DETAILS ARE SET OUT ON THE ATTACHED PAGES.

<div><input type="checkbox"/> THE FIRST COURT DATE IS (date) AT a.m./p.m. or as soon as possible after that time, at: (address)</div> <div>NOTE: If this is a divorce case, no date will be set un- less an Answer is filed.</div> <div>If you have also been served with a notice of motion, there may be an earlier court date and you or your lawyer should come to court for the motion.</div> <div><input type="checkbox"/> THIS CASE IS ON THE FAST TRACK OF THE CASE MANAGEMENT SYSTEM. A case management judge will be assigned by the time this case first comes before a judge.</div>	<div><input type="checkbox"/> THIS CASE IS ON THE STANDARD TRACK OF THE CASE MANAGEMENT SYSTEM. No court date has been set for this case but, if you have been served with a notice of motion, it has a court date and you or your lawyer should come to court for the motion. A case management judge will not be assigned until one of the parties asks the clerk of the court to schedule a case confere- nce or until a notice of motion under subrule 14(5) is served before a case conference has been held. If, after 200 days, the case has not been scheduled for trial, the clerk of the court will send out a warning that the case will be dismissed in 30 days unless the parties file proof that the case has been settled or one of the parties asks for a case conference or a settlement conference.</div>
---	---

IF YOU WANT TO OPPOSE ANY CLAIM IN THIS CASE, you or your lawyer must prepare an *Answer* (Form 10 — a blank copy should be attached), serve a copy on the applicant(s) and file a copy in the court office with an *Affidavit of Service* (Form 6B). YOU HAVE ONLY 30 DAYS AFTER THIS APPLICATION IS SERVED ON YOU (60 DAYS IF THIS APPLICATION IS SERVED ON YOU OUTSIDE CANADA OR THE UNITED STATES) TO SERVE AND FILE AN ANSWER. IF YOU DO NOT, THE CASE WILL GO AHEAD WITHOUT YOU AND THE COURT MAY MAKE AN ORDER AND ENFORCE IT AGAINST YOU.

Check this box ☐ This case includes a claim for support or for property. You MUST fill out a *Financial Statement* (Form 13 — a blank copy attached), serve a copy on the applicant(s) and file a copy in the court office with an *Affidavit of Service* even if you do not answer this case.

If you want to make a claim of your own, you or your lawyer must fill out the claim portion in the *Answer*, serve a copy on the applicant(s) and file a copy in the court office with an *Affidavit of Service*.

You should get legal advice about this case right away. If you cannot afford a lawyer, you may be able to get help from your local Legal Aid office. (See your telephone directory under LEGAL AID).

Date of issue

Clerk of the court

Continued on other side. ➡

Form 8: Application (General) (page 2)

Court file number

FAMILY HISTORY

APPLICANT: Age: Birthdate:
 Resident in (municipality & province)
 since (date)
 Surname at birth: Surname just before marriage:
 Divorced before? ☐ No. ☐ Yes. (Place and date of previous divorce)

RESPONDENT: Age: Birthdate:
 Resident in (municipality & province)
 since (date)
 Surname at birth: Surname just before marriage:
 Divorced before? ☐ No. ☐ Yes. (Place and date of previous divorce)

RELATIONSHIP DATES:

☐ Married on (date) ☐ Started living together on (date)
☐ Separated on (date) ☐ Never lived together. ☐ Still living together.

THE CHILD(REN):

List all children involved in this case, even if no claim is made for these children.

Full Legal Name	Age	Birthdate	Resident in (municipality & province)	Now Living with (name of person and relationship to child)

PREVIOUS CASES OR AGREEMENTS

Have the parties or the children been in a court case before?

☐ No. ☐ Yes. (Attach a summary of court cases — Form 8E.)

Have the parties made a written agreement dealing with any matter involved in this case?

☐ No. ☐ Yes. (Give date of agreement. Indicate which of its terms are in dispute. Attach an additional page if you need more space.)

Continued on next sheet. ➡

Form 8: Application (General) (page 3)

Court file number

CLAIM BY APPLICANT

I ASK THE COURT FOR THE FOLLOWING:

(Claims below include claims for temporary orders.)

Claims under the <i>Divorce Act</i> <i>Check boxes in this column only if you are asking for a divorce.)</i>	Claims under the <i>Family Law Act</i> or <i>Children's Law Reform Act</i>	Claims relating to property
00 <input type="checkbox"/> a divorce	10 <input type="checkbox"/> support for me	20 <input type="checkbox"/> equalization of net family properties
01 <input type="checkbox"/> support for me	11 <input type="checkbox"/> support for child(ren)	21 <input type="checkbox"/> exclusive possession of matrimonial home
02 <input type="checkbox"/> support for child(ren)	12 <input type="checkbox"/> custody of child(ren)	22 <input type="checkbox"/> exclusive possession of contents of matrimonial home
03 <input type="checkbox"/> custody of child(ren)	13 <input type="checkbox"/> access to child(ren)	23 <input type="checkbox"/> freezing assets
04 <input type="checkbox"/> access to child(ren)	14 <input type="checkbox"/> restraining/non-harassment order	24 <input type="checkbox"/> sale of family property
	15 <input type="checkbox"/> indexing spousal support	Other claims
	16 <input type="checkbox"/> declaration of parentage	30 <input type="checkbox"/> costs
	17 <input type="checkbox"/> guardianship over child's property	31 <input type="checkbox"/> annulment of marriage
		32 <input type="checkbox"/> prejudgment interest

50 ☐ *(Other, specify.)*

Give details of the order that you want the court to make. *(Include any amounts of support (if known) and the names of the children for whom support, custody or access is claimed.)*

Continued on other side. ➡

Form 8: Application (General) (page 4)

Court file number

IMPORTANT FACTS SUPPORTING MY CLAIM FOR DIVORCE

- ☐ **Separation:** The spouses have lived separate and apart since *(date)* and
- ☐ have not lived together again since that date in an unsuccessful attempt to reconcile.
 - ☐ have lived together again during the following period(s) in an unsuccessful attempt to reconcile: *(Give dates.)*
- ☐ **Adultery:** The respondent has committed adultery. *(Give details. It is not necessary to name any other person involved but, if you do name the other person, then you must serve this application on the other person.)*
- ☐ **Cruelty:** The respondent has treated the applicant with physical or mental cruelty of such a kind as to make continued cohabitation intolerable. *(Give details.)*

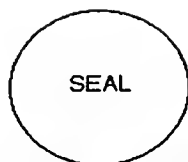
IMPORTANT FACTS SUPPORTING MY OTHER CLAIM(S)*(Set out below the facts that form the legal basis for your other claim(s). Attach an additional page if you need more space.)**Put a line through any blank space left on this page*_____
Applicant's signature_____
Date of signature

For divorce cases only

LAWYER'S CERTIFICATE

My name is:
and I am the applicant's lawyer in this divorce case. I certify that I have complied with the requirements of section 9 of the *Divorce Act*.

Lawyer's signature_____
Date of signature



(Name of court)

Court File Number

at _____
Court office address

Form 8A: Application
(divorce) ☐ Joint
☐ Simple

Applicant

Full legal name & address for service — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Lawyer's name & address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Respondent(s)

Full legal name & address for service — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Lawyer's name & address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

☐ **THIS CASE IS A JOINT APPLICATION FOR DIVORCE. THE DETAILS ARE SET OUT ON THE ATTACHED PAGES.** The application and affidavits in support of the application will be presented to a judge when the materials have been checked for completeness.

☐ **IN THIS CASE, THE APPLICANT IS CLAIMING DIVORCE ONLY.**

TO THE RESPONDENT(S): A COURT CASE FOR DIVORCE HAS BEEN STARTED AGAINST YOU IN THIS COURT. THE DETAILS ARE SET OUT ON THE ATTACHED PAGES.

THIS CASE IS ON THE STANDARD TRACK OF THE CASE MANAGEMENT SYSTEM. No court date has been set for this case but, if you have been served with a notice of motion, it has a court date and you or your lawyer should come to court for the motion. A case management judge will not be assigned until one of the parties asks the clerk of the court to schedule a case conference or until a notice of motion under subrule 14(5) is served before a case conference has been held. If, after 200 days, the case has not been scheduled for trial, the clerk of the court will send out a warning that the case will be dismissed in 30 days unless the parties file proof that the case has been settled or one of the parties asks for a case conference or a settlement conference.

IF YOU WANT TO OPPOSE ANY CLAIM IN THIS CASE, you or your lawyer must prepare an answer (Form 10 — a blank copy should be attached), serve a copy on the applicant and file a copy in the court office with an affidavit of service (Form 6B).

YOU HAVE ONLY 30 DAYS AFTER THIS APPLICATION IS SERVED ON YOU (60 DAYS IF THIS APPLICATION IS SERVED ON YOU OUTSIDE CANADA OR THE UNITED STATES) TO SERVE AND FILE AN ANSWER. IF YOU DO NOT, THE CASE WILL GO AHEAD WITHOUT YOU AND THE COURT MAY MAKE AN ORDER AND ENFORCE IT AGAINST YOU.

If you want to make a claim of your own, you or your lawyer must fill out the claim portion in the answer, serve a copy on the applicant and file a copy in the court office with an affidavit of service.

You should get legal advice about this case right away. If you cannot afford a lawyer, you may be able to get help from your local Legal Aid office. (See your telephone directory under LEGAL AID).

Date of issue

Clerk of the court

Continued on other side. ➡

Form 8A: Application (divorce) (page 2)

Court file number

FAMILY HISTORY

HUSBAND: Age: Birthdate:
 Resident in (municipality & province)
 since (date)
 Surname at birth: Surname just before marriage:
 Divorced before? ☐ No. ☐ Yes. (Place and date of previous divorce)

WIFE: Age: Birthdate:
 Resident in (municipality & province)
 since (date)
 Surname at birth: Surname just before marriage:
 Divorced before? ☐ No. ☐ Yes. (Place and date of previous divorce)

RELATIONSHIP DATES:

☐ Married on (date) ☐ Started living together on (date)
☐ Separated on (date) ☐ Never lived together.

THE CHILD(REN):

List all children involved in this case, even if no claim is made for these children.

Full Legal Name	Age	Birthdate	Resident in (municipality & province)	Now Living with (name of person and relationship to child)

PREVIOUS CASES OR AGREEMENTS

Have the parties or the children been in a court case before?

☐ No. ☐ Yes. (Attach a summary of court cases — Form 8E.)

Have the parties made a written agreement dealing with any matter involved in this case?

☐ No. ☐ Yes. (Give date of agreement. Indicate which of its terms are in dispute. Attach an additional page if you need more space.)

Continued on next sheet. ➡

Form 8A: Application (divorce) (page 3)

Court file number

CLAIMS

USE THIS FRAME ONLY IF THIS CASE IS A JOINT APPLICATION FOR DIVORCE.

WE JOINTLY ASK THE COURT FOR THE FOLLOWING:

Claims under the *Divorce Act*

- 00 ☒ a divorce
 01 ☐ spousal support
 02 ☐ support for child(ren)
 03 ☐ custody of child(ren)
 04 ☐ access to child(ren)

Claims under the *Family Law Act* or *Children's Law Reform Act*

- 10 ☐ spousal support
 11 ☐ support for child(ren)
 12 ☐ custody of child(ren)
 13 ☐ access to child(ren)
 14 ☐ restraining/non-harassment order
 15 ☐ indexing spousal support
 16 ☐ declaration of parentage
 17 ☐ guardianship over child's property

Claims relating to property

- 20 ☐ equalization of net family properties
 21 ☐ exclusive possession of matrimonial home
 22 ☐ exclusive possession of contents of matrimonial home
 23 ☐ freezing assets
 24 ☐ sale of family property

Other claims

- 30 ☐ costs
 31 ☐ annulment of marriage
 32 ☐ prejudgment interest
 50 ☐ (Other, specify.)

USE THIS FRAME ONLY IF THE APPLICANT'S ONLY CLAIM IN THIS CASE IS FOR DIVORCE.

I ASK THE COURT FOR:

- 00 ☒ a divorce

(Check if applicable.)

- 30 ☐ costs

IMPORTANT FACTS SUPPORTING THE CLAIM FOR DIVORCE

- ☐ **Separation:** The spouses have lived separate and apart since (date) and
☐ have not lived together again since that date in an unsuccessful attempt to reconcile.
☐ have lived together again during the following period(s) in an unsuccessful attempt to reconcile: (Give dates.)
- ☐ **Adultery:** (Name of spouse) has committed adultery.
 (Give details. It is not necessary to name any other person involved but, if you do name the other person, then you must serve this application on the other person.)
- ☐ **Cruelty:** (Name of spouse) has treated (name of spouse) with physical or mental cruelty of such a kind as to make continued cohabitation intolerable. (Give details.)

Form 8A: Application (divorce) (page 4)

Court file number

USE THIS FRAME ONLY IF THIS CASE IS A JOINT APPLICATION FOR DIVORCE.

The details of the other order(s) that we jointly ask the court to make are as follows: *(Include any amounts of support and the names of the children for whom support, custody or access is to be ordered.)*

IMPORTANT FACTS SUPPORTING OUR CLAIM(S)

(Set out below the facts that form the legal basis for your claim(s). Attach an additional page if you need more space.)

Put a line through any blank space left on this page

In a joint application for divorce, there will be two signatures — one for each spouse. But in an application where the applicant's only claim is for divorce, you and your lawyer are the only ones who will sign and you should strike out the inappropriate zone for your spouse's signature and corresponding date.

Signature of applicant husband

Date of signature

Signature of applicant wife

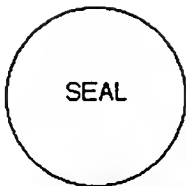
Date of signature

LAWYER'S CERTIFICATE

My name is:
and I am the lawyer for (name) in this divorce case. I certify
that I have complied with the requirements of section 9 of the *Divorce Act*.

Lawyer's signature

Date of signature



(Name of court)

Court File Number

Form 8B: Application
(child protection
and status review)

at _____

Court office address

Applicant(s) *[In most child protection cases, the applicant will be a children's aid society.]*

Full legal name & address for service — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Respondent(s) *[In most child protection cases, a respondent will be a "parent" within the meaning of section 37 of the Child and Family Services Act.]*

Full legal name & address for service — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

TO THE RESPONDENT(S):

A COURT CASE HAS BEEN STARTED AGAINST YOU IN THIS COURT. THE DETAILS ARE SET OUT ON THE ATTACHED PAGES.

THE FIRST COURT DATE IS (date) AT a.m./p.m. or as soon as possible after that time, at: (address)

If you have also been served with a notice of motion, there may be an earlier court date and you or your lawyer should come to court for the motion.

IF YOU WANT TO OPPOSE ANY CLAIM IN THIS CASE, you or your lawyer must prepare an answer (Form 10 — a blank copy should be attached), serve a copy on the applicant children's aid society and all other parties and file a copy in the court office with an affidavit of service (Form 6B). YOU HAVE ONLY 30 DAYS AFTER THIS APPLICATION IS SERVED ON YOU (60 DAYS IF THIS APPLICATION IS SERVED ON YOU OUTSIDE CANADA OR THE UNITED STATES) TO SERVE AND FILE AN ANSWER. IF YOU DO NOT, THE CASE WILL GO AHEAD WITHOUT YOU AND THE COURT MAY MAKE AN ORDER AND ENFORCE IT AGAINST YOU.

Check this box if ☐ The applicant children's aid society is also making a claim for child support. You MUST fill out a financial statement (Form 13 — a blank copy attached), serve a copy on the society and file a copy in the court office with an affidavit of service even if you do not answer this case.

WARNING: This case is subject to case management, which means that the case runs on a timetable. That timetable says that the following steps have to be finished by the following number of days from the start of this case:

Temporary care & custody hearing	25 days	Settlement conference	80 days
Plan of care to be served & filed	33 days	Protection hearing or status review	120 days
Case conference	40 days		

You should consider getting legal advice about this case right away. If you cannot afford a lawyer, you may be able to get help from your local Legal Aid office. (See your telephone directory under LEGAL AID).

Date of Issue

Clerk of the court

Continued on other side. ➡

Form 8B: Application (child protection and status review) (page 2)

Court file number

THE CHILD(REN) (List all children involved in this case.)

Child's Full Legal Name	Birth date	Age	Sex	Full Legal Name of Mother	Full Legal Name of Father	Child's Religion	Child's Native Status

CLAIM BY APPLICANT SOCIETY

1. The applicant children's aid society asks the court to make a finding under Part III of the *Child and Family Services Act* that the child(ren) named in this application

☐ is/are ☐ continue(s) to be

in need of protection because:

(Check applicable box(es). In each checked paragraph, delete those portions of the text that are not relevant.)

- ☐ the child(ren) has/have suffered physical harm, inflicted by the person having charge of the child(ren) or caused by that person's failure to care and provide for or to supervise and protect the child(ren) adequately [clause 37(2)(a)].
- ☐ there is a substantial risk that the child(ren) will suffer physical harm, inflicted by the person having charge of the child(ren) or caused by that person's failure to care and provide for or to supervise and protect the child(ren) adequately [clause 37(2)(b)].
- ☐ the child(ren) has/have been sexually molested or sexually exploited, by the person having charge of the child(ren) or by another person where the person having charge knows or should know of the possibility of sexual molestation or sexual exploitation and fails to protect the child(ren) [clause 37(2)(c)].
- ☐ there is a substantial risk that the child(ren) will be sexually molested or sexually exploited, by the person having charge of the child(ren) or by another person where the person having charge knows or should know of the possibility of sexual molestation or sexual exploitation and fails to protect the child(ren) [clause 37(2)(d)].
- ☐ the child(ren) require(s) medical treatment to cure, prevent or alleviate physical harm or suffering and the child(ren)'s parent or the person having charge of the child(ren) does not provide, or refuses or is unavailable or unable to consent to, the treatment [clause 37(2)(e)].
- ☐ the child(ren) has/have suffered emotional harm that is demonstrated by severe anxiety, depression, withdrawal or self-destructive or aggressive behaviour, and the child(ren)'s parent or the person having charge of the child(ren) does not provide, or refuses or is unavailable or unable to consent to, services or treatment to remedy or alleviate the harm [clause 37(2)(f)].
- ☐ there is a substantial risk that the child(ren) will suffer emotional harm that is demonstrated by severe anxiety, depression, withdrawal or self-destructive or aggressive behaviour, and the child(ren)'s parent or the person having charge of the child(ren) does not provide, or refuses or is unavailable or unable to consent to, services or treatment to prevent the harm [clause 37(2)(g)].
- ☐ the child(ren) suffer(s) from a mental, emotional or developmental condition that, if not remedied, could seriously impair the child(ren)'s development and the child(ren)'s parent or the parent having charge of the child(ren) does not provide, or refuses or is unavailable or unable to consent to, treatment to remedy or alleviate the condition [clause 37(2)(h)].
- ☐ the child(ren) has/have been abandoned [clause 37(2)(i)].
- ☐ the child(ren)'s parent has died or is unavailable to exercise his or her custodial rights over the child(ren) and has

Continued on next sheet. ➡

Form 8B: Application (child protection and status review) (page 3)

Court file number

- not made adequate provision for the child(ren)'s care and custody [clause 37(2)(f)].
- ☐ the child(ren) is/are in a residential placement and the child(ren)'s parent refuses or is unable or unwilling to resume the care and custody of the child(ren) [clause 37(2)(f)].
 - ☐ the child(ren) is/are less than twelve years old and has/have killed or seriously injured another person or caused serious damage to another person's property; services or treatment are necessary to prevent a recurrence; and the child(ren)'s parent or the person having charge of the child(ren) does not provide, or refuses or is unavailable or unable to consent to, those services or treatment [clause 37(2)(f)].
 - ☐ the child(ren) is/are less than twelve years old and has/have, on more than one occasion, injured another person or caused loss or damage to another person's property, with the encouragement of the person having charge of the child(ren) or because of that person's failure or inability to supervise the child(ren) adequately [clause 37(2)(k)].
 - ☐ the child(ren)'s parent is unable to care for the child(ren) and the child(ren) is/are brought before the court with the person's consent and, where the child(ren) is/are twelve years of age or older, with the child(ren)'s consent, to be dealt with under Part III of the *Child and Family Services Act* [clause 37(2)(f)].

2. The applicant society therefore asks for an order,

- ☐ that the child(ren) be placed with *(name of custodian)*
subject to the supervision of *(full legal name of supervising society)*

for a period of months, on the terms and conditions set out in the Appendix on page 5 of this Application form.

- ☐ that the child(ren) be made (a) ward(s) of *(full legal name of society)*
for a period of months.
- ☐ that the child(ren) be made (a) ward(s) of *(full legal name of society)*

for a period of months and then returned to *(name of custodian)*
subject to the supervision of *(full legal name of supervising society)*

for a period of months, on the terms and conditions set out in the Appendix on page 5 of this Application form.

- ☐ that the child(ren) be made (a) ward(s) of the Crown and placed in the care of *(full legal name of caretaker society)*
- ☐ that *(name of homemaker)*
be authorized to remain on the premises at *(address of premises where homemaker is placed)*
until *(date)*
or until the person who is entitled to custody of the child(ren) returns to care for the child(ren), whichever is sooner.
- ☐ relating to access, the details of which are as follows: *(Specify details of order to be sought, including any claim for a restraining order under section 76 of the Child and Family Services Act.)*

- ☐ relating to payment of support while the child(ren) is/are in care, the details of which are as follows:

- ☐ court costs.
- ☐ *(Other, specify,)*

3. To the best knowledge of the applicant society, the parties or the child(ren)

- ☐ have been
- ☐ have not been

in a court case before relating to the supervision, wardship (guardianship) or custody of or access to the child(ren).
(If you checked first box, attach a summary of court cases — Form 8E.)

Continued on other side. ➡

Form 8B: Application (child protection and status review) (page 4)

Court file number

4. The parties ☐ made ☐ have not made
a written agreement dealing with any matter involved in this case. *(If you checked the first box, give date of agreement and indicate which of its terms are in dispute. Attach an additional page if you need more space.)*

5. The following is a brief statement of the facts upon which the applicant society is relying in this application.
(Set out the facts in numbered paragraphs. If you need more space, you may use the other side or attach a page, but you must date and sign each additional page.)

Put a line through any blank space left on this page.

Signature

Date of signature

Print or type name

Office or position held in children's aid society

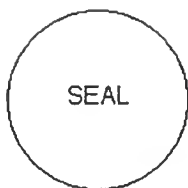
Continued on next sheet. ➡

Form 8B: Application (child protection and status review) (page 5)

Court file number

APPENDIX

The terms and conditions that the applicant society proposes for the child(ren)'s supervision are as follows:
(Set out terms and conditions in numbered paragraphs. Omit this page if no supervision is sought.)



(Name of court)
at _____
Court office address

Court File Number

Form 8C: Application for
☐ Secure Treatment
☐ Extension of Secure Treatment

Applicant(s)

Full legal name & address for service — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Child

Full legal name of child:	Lawyer's name & address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).
Birthdate:	
Sex:	

Check applicable box.

1. ☐ I/We am/are the child's parent(s). (Attach the consent of the parent(s) in Form 33R. If the child is 16 or 17 years old, the child's consent — Form 33Q — must also be attached. In an application to extend treatment, the consent of the program administrator in Form 33R must also be attached. If the "child" is 18 or more years old, the "child's" consent to extend treatment in Form 33R must also be attached.)
 - ☐ I am an authorized officer of the applicant children's aid society that has custody of the child under an order made under Part III of the *Child and Family Services Act*. (Attach the officer's consent in Form 33R. If the child is 16 or 17 years old, the child's consent — Form 33Q — must also be attached. In an application to extend treatment, the administrator's consent in Form 33R must also be attached.)
 - ☐ I am a person (other than an administrator of the secure treatment program) who is caring for the child. (To be used only where the child is less than 16 years of age. A consent of the child's parent — Form 33R — must be attached. In an application to extend treatment, the administrator's consent in Form 33R must also be attached.)
 - ☐ I am the child in this case and I am 16 or 17 years old. (The child's consent — Form 33Q — must be attached. In an application to extend treatment, the administrator's consent in Form 33R must also be attached.)
 - ☐ I am the person who has been committed to the secure treatment program in this case and I am 18 or more years old. (To be used only in an application to extend treatment. Attach the consent of the program administrator on Form 33R.)
 - ☐ I am a physician qualified under the law of Ontario to practise medicine. (To be used in an application for secure treatment only where the child is 16 years of age or more. A physician can apply to extend treatment, but only if the "child" is 18 or more years of age and only if separate consents in Form 33R, both from the administrator of the programme and from the "child" are attached.)
 - ☐ I am the person in charge of the secure treatment program. (To be used only in an application to extend secure treatment. Attach two consents in Form 33R — one from the administrator and the second from the child's parent or, if the child is in the care of a children's aid society, the society's consent. If the "child" is now 18 or more years old, the second consent in Form 33R must come from the "child".)
2. I/We ask for an order under Part VI of the *Child and Family Services Act*
 - ☐ committing the child ☐ extending the child's commitment
to the secure treatment program at: (Name and address of secure treatment program.)

Continued on other side. ➡

Form 8C: Application (secure treatment) (page 2)

Court file number

3. I/We make this application because: (NOTE: All three paragraphs — (a) and (b) and (c) — must be true in all cases.)

- ☐ (a) the child has a mental disorder;
- ☐ (b) the secure treatment program would be effective to prevent the child from causing or attempting to cause serious bodily harm to himself/herself or to another person;
- ☐ (c) no less restrictive method of providing treatment appropriate for the child's mental disorder is appropriate in the circumstances;

Use this frame only in an application for secure treatment.

In addition to paragraphs (a), (b) and (c) above, all three paragraphs below — (d) and (e) and (f) — must ALSO be true.

- ☐ (d) the child has, as a result of the mental disorder, within 45 days immediately before,
- Check only one of these three boxes.
- ☐ the date of this application for commitment to secure treatment,
- ☐ the child's detention or custody under the federal *Young Offenders Act* or Ontario's *Provincial Offences Act*,
- ☐ the child's admission as an involuntary patient to a psychiatric facility under the *Mental Health Act* caused or attempted to cause serious bodily harm to himself/herself or to another person;
- ☐ (e) the child has: {
- ☐ within the 12 months immediately before this application for secure treatment on an occasion different from the one mentioned in clause (b) above,
- ☐ caused or attempted to cause
- ☐ by words or conduct, made a substantial threat to cause bodily harm to himself/herself or to another person; OR
- ☐ caused or attempted to cause a person's death when causing or attempting to cause serious bodily harm to himself/herself or to another person; and
- ☐ (f) treatment appropriate for the child's mental disorder is available at the program named in paragraph 2 above.

Use this frame only in an application to extend secure treatment.

In addition to paragraphs (a), (b) and (c) above, both paragraphs below — (d) and (e) — must ALSO be true.

- ☐ (d) the child is receiving,
- ☐ the treatment proposed when this court originally ordered secure commitment;
- ☐ other appropriate treatment; and
- ☐ (e) there is an appropriate plan for the child's care on release from the secure treatment program.

4. The following is a brief statement of the facts upon which this application is based. (Set out the facts in numbered paragraphs with reference to the items in paragraph 3. If you need more space, you may attach a page, but you must date and sign each additional page.)

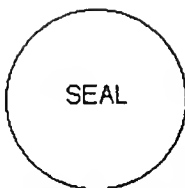
Put a line through any blank space left on this page.

Signature

Date of signature

Signature

Date of signature



(Name of court)
at _____
Court office address

Court File Number

Form 8D: Application
(adoption)

Applicant(s) [Only spouses may make a joint application for adoption.]

Full legal name & address for service — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Respondent(s) [The box below would be used only in a contested adoption case involving one or more step-parents or relatives.]

Full legal name & address for service — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

THE APPLICANT(S) ASK FOR AN ORDER FOR THE ADOPTION OF:

(full legal name of person to be adopted)

The applicant(s) also ask for an order that the person's name after adoption be:

(full legal name of person after adoption)

Strike out the box below if it does not apply in this case.

NOTE TO THE RESPONDENTS: You are also being served with a notice of motion to dispense with your consent to this adoption. The details of the motion can be found on the notice of motion and the attached affidavit(s).

IF YOU WANT TO OPPOSE THIS ADOPTION, you or your lawyer must prepare one or more affidavits for the motion. **IF YOU DO NOT DO SO, THE COURT MAY DISPENSE WITH YOUR CONSENT WITHOUT YOU AND YOU WILL GET NO FURTHER NOTICE OF THE ADOPTION HEARING.**

YOU SHOULD GET LEGAL ADVICE ABOUT THIS CASE RIGHT AWAY. If you cannot afford a lawyer, you may be able to get help from your local Legal Aid office. (See your telephone directory under LEGAL AID).

Date of issue

Clerk of the court

Court File Number

Form 8E: Summary
of Court Cases

(Name of court)
at _____
Court office address

Applicant(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).
--	--

Respondent(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).
--	--

My name is (Full legal name)

The following is a diary of all the steps in this case and any other relevant court cases involving:

- (a) any of the parties; or
- (b) a child who is part of this case or whose interests are part of this case.

Signature _____ Date of signature _____

Date when case or step in case began	Description of case or step in case	Court that heard the case or step in case	Judge or judicial officer whose order disposed of case or step in case	Date of order	Summary of order

Continued on other side.

Court file number

[illegible]

Court file number

[illegible]

Court File Number

(Name of court)

at _____
Court office address

Form 10: Answer

Applicant(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Respondent(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

TO THE APPLICANT(S):

If you are making a claim against someone who is not an applicant, insert the person's name and address here.

AND TO: (full legal name) _____, an added respondent, of _____
(address of added party)

1. I agree with the following claim(s) made by the applicant: (Refer to the numbers alongside the boxes on page 3 of the application form.)
2. I do not agree with the following claim(s) made by the applicant: (Again, refer to the numbers alongside the boxes on page 3 of the application form.)
3. ☐ I am asking that the applicant's claim (except for the parts with which I agree) be dismissed with costs.
4. ☐ I am making a claim of my own.
(Attach a "Claim by Respondent" page and include it as page 3. Otherwise, do not attach it.)
5. ☐ The FAMILY HISTORY, as set out in the application, ☐ is correct
☐ is not correct.
(If it is not correct, attach your own FAMILY HISTORY page and underline those parts that are different from the applicant's version.)

Continued on other side. ➡

Form 10: Answer (page 2)

Court file number

6. The important facts that form the legal basis for my position in paragraph 2 is as follows: *(In numbered paragraphs, set out the facts for your position. Attach an additional sheet and number it if you need more space.)*

Put a line through any space left on this page.

Respondent's signature

Date of signature

Continued on next sheet. ➡

Form 10: Answer (page 3)

Court file number

CLAIM BY RESPONDENT

Fill out a separate claim page for each person against whom you are making your claim(s).

7. THIS CLAIM IS MADE AGAINST

- ☐ THE APPLICANT
- ☐ AN ADDED PARTY, whose name is (full legal name)

(If your claim is against an added party, make sure that this person's name appears on page 1 of this form.)

8. I ASK THE COURT FOR THE FOLLOWING:

(Claims below include claims for temporary orders.)

Claims under the Divorce Act <i>Check boxes in this column only if you are asking for a divorce.)</i>	Claims relating to property	Claims relating to child protection
00 <input type="checkbox"/> a divorce	20 <input type="checkbox"/> equalization of net family properties	40 <input type="checkbox"/> access
01 <input type="checkbox"/> support for me	21 <input type="checkbox"/> exclusive possession of matrimonial home	41 <input type="checkbox"/> lesser protection order
02 <input type="checkbox"/> support for child(ren)	22 <input type="checkbox"/> exclusive possession of contents of matrimonial home	42 <input type="checkbox"/> return of child(ren) to my care
03 <input type="checkbox"/> custody of child(ren)	23 <input type="checkbox"/> freezing assets	43 <input type="checkbox"/> place children into care of (name)
04 <input type="checkbox"/> access to child(ren)	24 <input type="checkbox"/> sale of family property	44 <input type="checkbox"/> children's aid society wardship for months
Claims under the Family Law Act or Children's Law Reform Act	Other claims	45 <input type="checkbox"/> society supervision of my care of child(ren)
10 <input type="checkbox"/> support for me	30 <input type="checkbox"/> costs	
11 <input type="checkbox"/> support for child(ren)	31 <input type="checkbox"/> annulment of marriage	
12 <input type="checkbox"/> custody of child(ren)	32 <input type="checkbox"/> prejudgment interest	
13 <input type="checkbox"/> access to child(ren)		
14 <input type="checkbox"/> restraining/non-harassment order		
15 <input type="checkbox"/> Indexing spousal support		
16 <input type="checkbox"/> declaration of parentage		
17 <input type="checkbox"/> guardianship over child's property		

50 ☐ (Other, specify.)

Give details of the order that you want the court to make. (Include any amounts of support (if known) and the names of the children for whom support, custody or access is claimed.)

Continued on other side. ➡

Form 10: Answer (page 4)

Court file number

IMPORTANT FACTS SUPPORTING MY CLAIM(S)

(In numbered paragraphs, set out the facts that form the legal basis for your claim(s). Attach an additional page and number it if you need more space.)

Put a line through any space left on this page.

Respondent's signature

Date of signature

Court File Number

(Name of court)

at

Court office address

Form 10A: Reply by

☐ applicant☐ added respondent**Applicant(s)**

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Respondent(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

TO ALL PARTIES:

1. My name is
2. I agree with the following claim(s) made by the respondent in his/her answer: (Refer to the numbers alongside the boxes on page 3 of the answer form.)
3. I do not agree with the following claim(s) made by the respondent: (Again, refer to the numbers alongside the boxes on page 3 of the answer form.)
4. ☐ I am asking that the respondent's claim (except for the parts with which I agree) be dismissed with costs.
5. The important facts supporting for my position in paragraph 3 is as follows: (In numbered paragraphs, set out the reasons for your position. Attach an additional sheet and number it if you need more space.)

Continued on other side. ➡

Form 10A: Reply (page 2)

Court file number

Put a line through any space left on this page.

Signature

Date of signature

Court File Number

.....

Form 12: Notice of
Withdrawal

(Name of court)

at _____
Court office address

Applicant(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Respondent(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

TO ALL PARTIES:

My name is (full legal name)

I withdraw this ☐ application dated (date)
☐ answer dated (date)
☐ notice of default hearing dated (date)
☐ notice of motion dated (date)
☐ (Other, specify.)

against (names of parties against who there is to be a withdrawal)

☐ completely.
☐ regarding (state limited nature of withdrawal.)

Signature of party making withdrawal or of party's lawyer

Date of signature

NOTE TO OTHER PARTIES: If a case, an enforcement, a motion, etc., has been wholly or partly withdrawn against you by this notice, you are entitled to your costs from the party making the withdrawal unless the court orders otherwise or unless the parties agree otherwise.

Court File Number

(Name of court)

**Form 13: Financial
Statement dated**at _____
Court office address**Applicant(s)**

Full legal name & address for service — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name and address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Respondent(s)

Full legal name and address for service — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name and address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

My name is (full legal name)

I live in (municipality & province)

and I swear/affirm that the following is true:

1. My financial statement set out on the following pages is accurate to the best of my knowledge and belief and sets out the financial situation as of (give date for which information is accurate) for

Check one or
more boxes
as circum-
stances re-
quire.

- ☐ me
- ☐ the children listed in Part 1 of this statement
- ☐ the following person(s): [Give name(s) and relationship to you.]

2. I attach to this statement:

See the in-
structions in
the note on the
back of this
sheet.

- ☐ Parts 1 to 6 of this Form and the documents mentioned in Part 2 (items 9 to 12).
- ☐ Part 7 of this Form.
- ☒ Parts ☐ 8 to 10 of this Form.
- ☐ 11 to 16 of this Form.

Sworn/Affirmed before me at
municipalityin
province, state or countryon
dateCommissioner for taking affidavits
(Type or print name below if signature is illegible.)

Signature

(This form is to be signed in front of a
lawyer, justice of the peace, notary public
or commissioner for taking affidavits.)

Continued on other side. ➡

HOW TO FILL OUT THIS FORM

You must fill out and attach Parts 1 to 6 of this Form if this case includes:

- a claim for support;
- a claim for a change in support;
- an enforcement of a support order or of the support provisions of a domestic contract or paternity agreement;
- a claim for custody or access where the court has ordered the filing of a financial statement
- a claim for exclusive possession of the matrimonial home and its contents; or
- a property dispute that does not involve equalization of net family property under Part I of the *Family Law Act*.

You must also fill out and attach Part 7, **BUT ONLY IF THIS CASE INCLUDES A CLAIM FOR CHILD SUPPORT THAT IS DIFFERENT FROM THE TABLE AMOUNT IN THE CHILD SUPPORT GUIDELINES** (a claim for add-ons for special or extraordinary expenses for the child(ren); a child 18 years of age or more; a claim for undue hardship; a support claim in a case of split or shared custody; or a case where a party's annual income is over \$150,000).

Finally, you must also give information about your property and your debts. **YOU MUST FILL OUT AND ATTACH:**

(e) **PARTS 8 TO 10** if this case includes one or more of the matters mentioned above, **BUT NOT** a claim for equalization of net family property under Part I of the *Family Law Act*;

OR

(b) **PARTS 11 TO 16** if this case deals includes a claim for equalization of net family property under Part I of the *Family Law Act*, even if it also includes one or more of the matters mentioned above..

For example, if this case is only about the equalization of family property under Part I of the *Family Law Act*, you would skip Parts 1 to 7 and only fill out and attach Parts 11 to 16.

FURTHER IMPORTANT NOTE

As soon as you find out that

(a) the information in this financial statement is incorrect or incomplete; or

(b) there is a material change in your circumstances that affects or will affect the information in this financial statement,

you **MUST** serve on every other party to this case and file with the court,

(c) the correct or complete information; or

(d) a new financial statement with updated information,

together with any documents that back up that information.

DECLARATION

This declaration is to be filled out only if your income is tax exempt because of your Indian status.

My name is (full legal name)

I live in (municipality & province)

and I declare that the following is true:

1. I am an Indian within the meaning of the *Indian Act* of Canada.
2. Because of my status, my income is tax exempt and I am not required to file an income tax return.
3. I have therefore not filed an income tax return for the past three years.

Declared before me at

municipality

in

province, state or country

on date

Commissioner for taking affidavits

(Type or print name below if signature is illegible.)

Signature

(This form is to be signed in front of a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

Form 13: Financial Statement (page 3)

Court file number

PARTS 1 TO 6 MUST BE FILLED OUT AND ATTACHED TO THIS FINANCIAL STATEMENT if this case includes:

- ☐ a claim for support;
- ☐ a claim for a change in support;
- ☐ an enforcement of a support order or of the support provisions of a domestic contract or paternity agreement;
- ☐ a claim for custody or access where the court has ordered the filing of a financial statement
- ☐ a claim for exclusive possession of the matrimonial home and its contents; or
- ☐ a property dispute that does not involve equalization of net family property under Part I of the *Family Law Act*.

You would skip this part if this case deals only with equalization of net family property.

PART 1: NAMES AND BIRTHDATES OF CHILD(REN)

Part 1 must be filled out if this case involves a claim by you or by another party:

- (a) for child support;
- (b) for the enforcement of child support; or
- (c) for custody of or access to a child, but only where a court has ordered each party to serve and file a financial statement;
- (d) for any combination of the above.

You still have to fill out this Part, even if you have decided not to oppose another party's claim for custody or child support. Part 1 does not apply if this case contains no claim regarding children.

	CHILD'S FULL LEGAL NAME	BIRTHDATE (d,m,y)	SEX
1.			
2.			
3.			
4.			
5.			
6.			
7.			

PART 2: INCOME

for the 12 months from (date) to (date)

Include all income and other money that you get from all sources, whether taxable or not. Show the gross amount here and show your deductions in Part 5. Give the current actual amount if you know it or can find out. If you can't find out, give your best estimate. To get a monthly figure for items 13 to 28, you must multiply any weekly income by 4.33 or divide any yearly sum by 12.

9. I am ☐ employed by (name and address of employer)☐ self-employed, carrying on business under the name of (name and address of business)☐ unemployed since (date when last employed)

10. I attach to this form:

- ☐ a copy of my income tax returns that were filed with the Department of National Revenue for the past 3 taxation years, together with a copy of all material filed with the returns and a copy of any notices of assessment or re-assessment that I have received from the Department for those years.
- ☐ a statement from the Department of National Revenue that I have not filed any income tax returns for the past 3 years.
- ☐ a declaration that I am not required to file an income tax return because of the *Indian Act* (Canada). [Use the declaration at the bottom of page 2.]
- ☐ a direction in Form 13A signed by me to the Taxation Branch of the Department of National Revenue for the disclosure of my tax returns and assessments for the past 3 years.

IMPORTANT! If your case requires you to fill out and attach Parts 1 to 6, the clerk of the court will NOT allow you to file this financial statement unless you have checked one of the boxes in paragraph 10 above and have attached the required document(s).

Continued on other side. ➡

Court file number

CATEGORY		Monthly
13.	Pay, wages, salary, including overtime (before deductions)	
14.	Bonuses, fees, commissions	
15.	Social assistance (employment assistance, basic financial assistance)	
16.	Employment insurance	
17.	Workers' compensation	
18.	Pensions	
19.	Dividends	
20.	Interest	
21.	Rent, board received	

CATEGORY		Monthly
22.	Child tax benefit	
23.	Support payments actually received	
24.	Income received by children	
25.	G.S.T. refund	
26.	Income tax refund	
27.	Gifts and loans received	
28.	Other (income from business, tips, etc. Attach statements or details.)	
29.	INCOME FROM ALL SOURCES	

Show your non-cash benefits — such as the use of a company car, a club membership or room and board that your employer or someone else provides for you or benefits that are charged through or written off by your business. If you cannot find out the actual value of these benefits, give your best estimate.

ITEM	DETAILS	Monthly Market Value
30. TOTAL		

31. GROSS MONTHLY INCOME AND BENEFITS (Add: [29] plus [30]) \$

Fill in this part only if you are living with another person. It does not matter whether you are married to this person.

32. I am living with (full legal name of person)

33. This person has (give number) child(ren) living in the home.

34. This person ☐ works at (place of work or business)

☐ does not work outside the home.

35. This person ☐ earns (give amount) \$..... per

☐ does not earn anything.

36. This person ☐ pays for about% of the household expenses.

☐ contributes no money to the household expenses.

Continued on next sheet. 

Form 13: Financial Statement (page 5)

Court file number

PART 5: AUTOMATIC DEDUCTIONS FROM INCOME

for the 12 months from (date) to (date)

Give the current actual amount if you know it or can find out. If you can't find out, give your best estimate. To get a monthly figure, you must multiply any weekly amount by 4.33 or divide any yearly sum by 12.

TYPE OF EXPENSE		Monthly
37.	Income tax deducted from pay	
38.	Canada Pension Plan	
39.	Other pension plans	
40.	Employment insurance	
41.	Union or association dues	

TYPE OF EXPENSE		Monthly
42.	Group insurance	
43.	Other (Specify. If necessary attach an extra sheet.)	
44.	TOTAL AUTOMATIC DEDUCTIONS	

45. NET MONTHLY INCOME (Do the subtraction: [31] minus [44]): \$

PART 6: TOTAL EXPENSES

for the 12 months from (date) to (date)

NOTE: This part must be completed in all cases. You must set out your TOTAL living expenses, including those expenses involving any children now living in your home. If you cannot find out the actual amount, give your best estimate. As with Part 1, convert weekly figures to monthly ones by multiplying by 4.33 or dividing yearly ones by 12.

TYPE OF EXPENSE		Monthly
Housing		
46.	Rent / Mortgage	
47.	Property taxes & municipal levies	
48.	Condominium fees & common expenses	
49.	Water	
50.	Electricity	
51.	Heating fuel (natural gas, fuel oil)	
52.	Telephone	
Housing		
53.	Cable television & pay television	
54.	Home insurance	
55.	Home repairs, maintenance, gardening, snow removal, etc.	
56.	Other household expenses (Specify. If necessary, attach an extra sheet.)	
Food, Toiletries & Sundries.		
57.	Groceries	
58.	Meals outside home	

TYPE OF EXPENSE		Monthly
59.	General household supplies	
60.	Hairdresser, barber, toiletries & sundries	
61.	Laundry & dry cleaning	
62.	Other (Specify. If necessary attach an extra sheet.)	
Clothing		
63.	Clothing for me	
64.	Clothing for children	
65.	Other. (Specify. If necessary, attach an extra sheet.)	
Transportation		
66.	Public transit	
67.	Taxis	
68.	Car insurance	
69.	Licence	
70.	Car loan payments	
71.	Car maintenance and repairs	
72.	Gasoline & oil	

Continued on other side. ➡

Form 13: Financial Statement (page 6)

Court file number

TYPE OF EXPENSE		Monthly
73.	Parking	
74.	Other (Specify. If necessary, attach an extra sheet.)	
Health & Medical		
75.	Regular dental care	
76.	Orthodontal or special dental care	
77.	Medicine & drugs	
78.	Eye glasses or contact lenses	
79.	Other (Specify. If necessary, attach an extra sheet.)	
Miscellaneous		
80.	Life or term insurance premiums	
81.	School fees, books, tuition, etc.	
82.	School activities (special projects, field trips, etc.)	
83.	School lunches	
84.	Religious school	
85.	Entertainment & recreation	
86.	Vacation	
87.	Children's summer camp	
88.	Children's activities (music lessons, clubs, sports, bicycles)	
89.	Children's allowances	

TYPE OF EXPENSE		Monthly
90.	Baby sitting	
91.	Day care	
92.	Books for home use, newspapers, magazines, audio/video tapes & discs	
93.	Gifts	
94.	Charities	
95.	Alcohol & tobacco	
96.	Pet expenses	
97.	Support actually being paid in this case	
98.	Support actually being paid in any other case	
99.	Income tax (not deducted from pay)	
100.	Other (Specify. If necessary, attach an extra sheet.)	
Debt payments (excluding mortgages)		
101.	Credit cards (but not for expenses mentioned elsewhere in this statement.)	
102.	Other (Specify. If necessary, attach an extra sheet.)	
Savings		
103.	R.r.s.p.	
104.	Other (Specify. If necessary, attach an extra sheet.)	
105.	Total of items [48] to [104]	

SUMMARY OF INCOME AND EXPENSES

Net monthly income (item [45] above) = \$

Subtract actual monthly expenses (item [105] above) = \$

ACTUAL MONTHLY SURPLUS/DEFICIT = \$**IMPORTANT NOTE ABOUT THE NEXT PART**

If this case deals with child support *different* from the table amount in the child support guidelines (a claim for add-ons for special or extraordinary expenses for child(ren); a child is 18 years of age or more; a claim for undue hardship; a support claim in a case of split or shared custody; or a case where the payor's annual income is over \$150,000), THEN YOU MUST NEXT FILL OUT AND ATTACH PART 7.

If, however, the claim for child support in this case is for the table amount in the child support guidelines or if this case does not deal with child support at all, omit Part 7 completely and instead go on to fill out and attach:

- Parts 8 to 10; OR
- Parts 11 to 18,

but not both. See the instructions at the top of Part 8 or Part 11 about the choice that you must make.

Continued on next sheet. ➡

Form 13: Financial Statement (page 7)

Court file number

PART 7: EXPENSES OF THE CHILD(REN)

NOTE: DO NOT FILL OUT PART 7 UNLESS THIS CASE INCLUDES A CLAIM FOR CHILD SUPPORT THAT IS DIFFERENT FROM THE TABLE AMOUNT IN THE CHILD SUPPORT GUIDELINES (a claim for add-ons for special or extraordinary expenses for the child(ren); a child is 18 years of age or more; a claim for undue hardship; a support claim in a case of split or shared custody; or a case where the party's annual income is \$150,000 or more).

If Part 7 applies to this case, set out the percentage of your actual total monthly living expenses in Part 6 that relates to any child(ren) now living in the household. If you cannot figure out the actual amount of each child's share of a particular expense item, give your best approximation. If there are more than three children, attach extra sheets.

TYPE OF EXPENSE		% of expense attributed to child			Monthly Total
		Name: Age:	Name: Age:	Name: Age:	
Housing					
106.	Rent / Mortgage	%	%	%	\$
107.	Property taxes & municipal levies				
108.	Condominium fees & common expenses				
109.	Water				
110.	Electricity				
111.	Heating fuel (natural gas, fuel oil)				
112.	Telephone				
113.	Cable television & pay television				
114.	Home insurance				
115.	Home repairs, maintenance, gardening, snow removal, etc.				
Food, Toiletries & Sundries					
116.	Groceries				
117.	Meals outside home				
118.	General household supplies				
119.	Hairdresser, barber, toiletries & sundries				
120.	Laundry & dry cleaning				
121.	Other (Specify. If necessary attach an extra sheet.)				
Clothing					
122.	Clothing for children				
123.	Other (Specify. If necessary, attach an extra sheet.)				
Transportation					
124.	Public transit				
125.	Taxis				
126.	Car insurance				

Continued on other side. ➡

Form 13: Financial Statement (page 8)

Court file number

TYPE OF EXPENSE		% of expense attributed to child			Monthly Total
		Name:	Name:	Name:	
		Age:	Age:	Age:	
127.	Licence				
128.	Car loan payments				
129.	Car maintenance & repairs				
130.	Gasoline & oil				
131.	Parking				
132.	Other (Specify. If necessary, attach an extra sheet.)				
Health & Medical					
133.	Regular dental care				
134.	Orthodontal or special dental care				
135.	Medicine & drugs				
136.	Eye glasses or contact lenses				
137.	Other (Specify. If necessary, attach an extra sheet.)				
Miscellaneous					
138.	Life or term insurance premiums				
139.	School fees, books, tuition, etc.				
140.	School residence				
141.	School activities (special projects, field trips, etc.)				
142.	School lunches				
143.	Religious school				
144.	Entertainment & recreation				
145.	Vacation				
146.	Children's summer camp				
147.	Children's activities (music lessons, clubs, sports, bicycles)				
148.	Children's allowances				
149.	Baby sitting				
150.	Day care				
151.	Books for home use, newspapers, magazines, audio/video tapes and discs				
152.	Gifts to child(ren)				
153.	Gifts from child(ren) to others				

Continued on next sheet. ➡

Form 13: Financial Statement (page 9)

Court file number

TYPE OF EXPENSE		% of expense attributed to child			Monthly Total
		Name:	Name:	Name:	
		Age:	Age:	Age:	
154.	Charities				
155.	Pet expenses				
156.	Other (Specify. If necessary, attach an extra sheet.)				
Debt Payments (excluding mortgage)					
157.	Credit cards (but not for expenses mentioned elsewhere in this statement)				
158.	Other (Specify. If necessary, attach an extra sheet.)				
Savings					
159.	Other (Specify. If necessary, attach an extra sheet.)				
160.	CHILD(REN)'S MONTHLY EXPENSES — TOTAL OF ITEMS [106] TO [159]				\$

IMPORTANT NOTE ABOUT THE NEXT PART**YOU MUST NEXT FILL OUT AND ATTACH:**

- Parts 8 to 10; OR
- Parts 11 to 16,

but not both. See the instructions at the top of Part 8 or Part 11 about the choice that you must now make.

Continued on next sheet. ➡

Court file number

Form 13: Financial Statement (page)

Court file number

PART 8(b): GENERAL HOUSEHOLD ITEMS AND VEHICLES			
Jewellery, art, electronics, tools, sports & hobby equipment			
Other special items			
162. TOTAL VALUE OF GENERAL HOUSEHOLD ITEMS AND VEHICLES			

PART 8(c): BANK ACCOUNTS AND SAVINGS			
Show the items owned by category. Include cash, accounts in financial institutions, registered retirement or other savings plans, deposit receipts, pensions and any other savings.			
Category	INSTITUTION	Account number	Amount
163. TOTAL VALUE OF ACCOUNTS AND SAVINGS			

PART 8(d): SECURITIES			
Show the items owned by category. Include bonds, warrants, options, notes and other securities. Give your best estimate of their market value if the items were to be sold on the open market.			
Category	Number	Description	Estimated Market Value
164. TOTAL VALUE OF SECURITIES			

Continued on next sheet. ➡

Form 13: Financial Statement (page)

Court file number

PART 8(e): LIFE & DISABILITY INSURANCE					
<i>List all policies now in existence.</i>					
Company & Policy No.	Kind of Policy	Owner	Beneficiary	Face Amount	Today's Cash Surrender Value
165. TOTAL CASH SURRENDER VALUE OF INSURANCE POLICIES					

PART 8(f): BUSINESS INTERESTS		
Show any interest in an unincorporated business owned today. A controlling interest in an incorporated business may be shown here or under "SECURITIES" in Part 8(d). Give your best estimate of market value if the business were to be sold on an open market.		
Name of Firm or Company	Interest	Estimated Market value of YOUR interest
166. TOTAL VALUE OF BUSINESS INTERESTS		

PART 8(g): MONEY OWED TO YOU	
Give details of all money that other persons owe to you today, whether because of business or from personal dealings. Include any court judgments in your favour and any estate money owed to you.	
DETAILS	Amount Owed to You
167. TOTAL OF MONEY OWED TO YOU	

Continued on other side. ➡

Form 13: Financial Statement (page)

Court file number

PART 8(h): OTHER PROPERTY		
Show other property or assets owned by categories. Include property of any kind not listed above. Give your best estimate of market value.		
CATEGORY	DETAILS	Estimated Market Value
168. TOTAL VALUE OF OTHER PROPERTY		
169. VALUE OF ALL PROPERTY Add items [161] to [168]		

PART 9: DEBTS AND OTHER LIABILITIES		
Show your debts and other liabilities today <i>from personal and business dealings</i> . List them by category, such as mortgages, charges, liens, notes, credit cards, and accounts payable. Don't forget to include: <ul style="list-style-type: none"> • any money owed to Revenue Canada; • contingent liabilities such as guarantees or warranties given by you (but indicate that they are contingent); and • any unpaid legal or professional bills as a result of this case. 		
CATEGORY	DETAILS	Amount owing
170. TOTAL OF DEBTS AND OTHER LIABILITIES		

PART 10: SUMMARY OF ASSETS AND LIABILITIES	
	Amounts
TOTAL ASSETS (from item [169] above)	\$
Subtract TOTAL DEBTS (from item [170] above)	\$
171. NET WORTH	\$

NOTE: If you have filled out Parts 8-10, then aside from any other documents that you must attach (such as income tax returns), this is the last page of this Form. Do not fill out or attach Parts 11-16.

Court file number

skip parts 11 to 16 and fill out Parts 8 to 10 instead.

The valuation date is: (give date)

337

Form 13: Financial Statement (page)

Court file number

PART 11(b): GENERAL HOUSEHOLD ITEMS AND VEHICLES					
Jewellery, art, electronics, tools, sports & hobby equipment					
Other special items					
173. TOTAL VALUE OF GENERAL HOUSEHOLD ITEMS AND VEHICLES				\$	

PART 11(c): BANK ACCOUNTS AND SAVINGS					
Show the items owned on the valuation date by category. Include cash, accounts in financial institutions, registered retirement or other savings plans, deposit receipts, pensions and any other savings.					
Category	INSTITUTION	Account number	Amount		
			on date of marriage	on valuation date	today
174. TOTAL VALUE OF ACCOUNTS AND SAVINGS			\$		

PART 11(d): SECURITIES					
Show the items owned on the valuation date by category. Include bonds, warrants, options, notes and other securities. Give your best estimate of their market value if the items were to be sold on the open market.					
Category	Number	Description	Estimated Market value		
			on date of marriage	on valuation date	today
175. TOTAL VALUE OF SECURITIES			\$		

Continued on next sheet. ➡

Form 13: Financial Statement (page)

Court file number

PART 11(e): LIFE & DISABILITY INSURANCE							
List all policies in existence on the valuation date.							
Company & Policy No.	Kind of Policy	Owner	Beneficiary	Face Amount	Cash Surrender Value		
					Date of Marriage	Valuation Date	Today
176. TOTAL CASH SURRENDER VALUE OF INSURANCE POLICIES						\$	

PART 11(f): BUSINESS INTERESTS				
Show any interest in an unincorporated business owned on the valuation date. A controlling interest in an incorporated business may be shown here or under "SECURITIES" in Part 11(d). Give your best estimate of market value if the business were to be sold on an open market.				
Name of Firm or Company	Interest	Estimated Market value of YOUR interest		
		on date of marriage	on valuation date	today
177. TOTAL VALUE OF BUSINESS INTERESTS		\$		

PART 11(g): MONEY OWED TO YOU			
Give details of all money that other persons owe to you on the valuation date, whether because of business or from personal dealings. Include any court judgments in your favour and any estate money owed to you.			
DETAILS	Amount Owed to You		
	on date of marriage	on valuation date	today
178. TOTAL OF MONEY OWED TO YOU		\$	

Continued on other side. ➡

Form 13: Financial Statement (page)

Court file number

PART 11(h): OTHER PROPERTY				
Show other property or assets owned on the valuation date. Include property of any kind not listed above. Give your best estimate of market value.				
CATEGORY	DETAILS	Estimated Market value of YOUR interest		
		on date of marriage	on valuation date	today
179. TOTAL VALUE OF OTHER PROPERTY			\$	
180. VALUE OF ALL PROPERTY OWNED ON THE VALUATION DATE Add items [172] to [179]			\$	

PART 12: DEBTS AND OTHER LIABILITIES				
Show your debts and other liabilities on the valuation date <i>from personal and business dealings</i> . List them by category such as mortgages, charges, liens, notes, credit cards, and accounts payable. Don't forget to include: <ul style="list-style-type: none"> any money owed to Revenue Canada; contingent liabilities such as guarantees or warranties given by you (but indicate that they are contingent); and any unpaid legal or professional bills as a result of this case. 				
CATEGORY	DETAILS	Amount owing		
		on date of marriage	on valuation date	today
181. TOTAL OF DEBTS AND OTHER LIABILITIES		\$		

Continued on next sheet. ➔

Form 13: Financial Statement (page)

Court file number

PART 13: PROPERTY, DEBTS AND OTHER LIABILITIES ON DATE OF MARRIAGE		
Show by category the value of your property and your debts and other liabilities <i>as of the date of your marriage</i> . DO NOT INCLUDE THE VALUE OF A MATRIMONIAL HOME THAT YOU OWNED ON THE DATE OF MARRIAGE.		
CATEGORY AND DETAILS	Value on date of marriage	
	Assets	Liabilities
Land (exclude matrimonial home owned on date of marriage, unless sold before date of separation.)		
General household items & vehicles		
Bank accounts and savings		
Securities		
Life & disability insurance		
Business interests		
Money owed to you		
Other property (Specify.)		
Debts and other liabilities (Specify.)		
TOTALS	\$	\$
182. NET VALUE OF PROPERTY OWNED ON DATE OF MARRIAGE (From the total of the "Assets" column, subtract the total of the "Liabilities" column.)	\$	
183. VALUE OF ALL DEDUCTIONS (Add items [181] and [182].)	\$	

PART 14: EXCLUDED PROPERTY		
Show by category the value of property owned on the valuation date that is excluded from the definition of "net family property" (such as gifts or inheritances received after marriage).		
CATEGORY	DETAILS	Value on valuation date
184. TOTAL VALUE OF EXCLUDED PROPERTY		\$

Continued on other side. ➡

Form 13: Financial Statement (page)

Court file number

PART 15: DISPOSED PROPERTY		
Show by category the value of property that you disposed of during the two years immediately before the separation.		
CATEGORY	DETAILS	VALUE
185. TOTAL VALUE OF DISPOSED PROPERTY		\$

PART 16: CALCULATION OF NET FAMILY PROPERTY		
	Deductions	BALANCE
Value of all property owned on valuation date (from item [180] above)		\$
Subtract value of all deductions (from item [183] above)	\$	\$
Subtract value of all excluded property (from item [184] above)	\$	\$
186. NET FAMILY PROPERTY		\$

Court File Number

(Name of court)

at

Court office address

Form 13A: Direction to
Department of National
Revenue — Taxation

Applicant(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Respondent(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

TO THE DEPARTMENT OF NATIONAL REVENUE:

My name is (full legal name)
I live at (latest address shown on tax records)

My social insurance number is:
I ASK AND AUTHORIZE YOU to send to (name and address)

- a copy of: (a) my income tax returns for the years ; and
(b) any material that was filed with each of the returns for those same years; and
(c) any notice of assessment or re-assessment from the Department for those same years.

Signature of taxpayer

Date of signature

Court File Number

(Name of court)

**Form 13B: Net Family
Property Statement**at _____
Court office address**Applicant(s)**

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Respondent(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

My name is (full legal name)

The valuation date for the following material is (date)

(Complete the tables by filling in the columns for both husband and wife, showing your assets debts, etc., and those of your spouse.)

Table 1: Value of assets owned on valuation date (List in the order of the categories in the financial statement.)		
ITEM	HUSBAND	WIFE
1.	\$	\$
TOTAL 1		

Continued on other side. ➡

Form 13B: Net Family Property Statement (page 2)

Court file number

Table 2: Value of debts and liabilities on valuation date <i>(List in the order of the categories in the financial statement.)</i>		
ITEM	HUSBAND	WIFE
	\$	\$
TOTAL 2		

Table 3: Net value of property (other than a matrimonial home) on valuation date <i>(List in the order of the categories in the financial statement.)</i>		
ITEM	HUSBAND	WIFE
	\$	\$
TOTAL 3		

Continued on next sheet. ➡

Form 13B: Net Family Property Statement (page 3)

Court file number

Table 4: Value of property excluded under subsection 4(2) of the <i>Family Law Act</i> (List in the order of the categories in the financial statement.)		
ITEM	HUSBAND	WIFE
	\$	\$
TOTAL 4		

TOTAL 2 (from page 2)		
TOTAL 3 (from page 2)		
TOTAL 4 (from above)		
TOTAL 5 ([Total 2] + [Total 3] + [Total 4])		

TOTAL 1 (from page 1)		
TOTAL 5 (from above)		
TOTAL 6: NET FAMILY PROPERTY ([Total 1] minus [Total 5])		

Signature

Date of signature

Court File Number

(Name of court)

Form 14: Notice of Motion

at Court office address

Applicant(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).
--	--

Respondent(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).
--	--

The person making this motion or the person's lawyer must contact the clerk of the court by telephone or otherwise to choose a time and date when the court could hear this motion

TO THE PARTIES:
THE COURT WILL HEAR A MOTION on (date)
at a.m./p.m., or as soon as possible after that time at: (place of hearing)

This motion will be made by (name of person making the motion)

who will be asking the court for an order for the item(s) listed on the back of this notice.

☐ A copy of the affidavit(s) in support of this motion is served with this notice.
☐ A notice of a case conference is served with this notice to change an order.
If this material is missing, you should talk to the court office immediately.

The person making this motion is also relying on the following documents in the continuing record: (List documents.)

If you want to oppose this motion or to give your own views, you should talk to your own lawyer and prepare your own affidavit, serve it on all other parties not later than 4 days before the date above and file it at the court office not later than 2 days before that date. Only written and affidavit evidence will be allowed at a motion unless the court gives permission for oral testimony. You may bring your lawyer to the motion.

IF YOU DO NOT COME TO THE MOTION, THE COURT MAY MAKE AN ORDER WITHOUT YOU AND ENFORCE IT AGAINST YOU.

Date of signature	
Signature of person making this motion or of person's lawyer	

Typed or printed name of person or of person's lawyer, address for service, telephone & fax number and e-mail address (if any)

NOTE TO PERSON MAKING THIS MOTION: You **MUST** file a confirmation (Form 14C) not later than 2:00 p.m. on the day before the date set out above.

If this is a motion to change past and future support payments under an order that has been assigned to a government agency, you must also serve this notice on that agency. If you do not, the agency can ask the court to set aside any order that you may get in this motion and can ask for costs against you.

Continued on other side. ➡

Form 14: Notice of Motion (page 2)

Court file number

State the order or orders requested on this motion.

NOTE: You must attach a *Summary of Court Cases* (Form 8E) to this notice of motion.

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Form 14A: Affidavit (General) dated (date) (page 2) Court file number

Put a line through any blank space left on this page.

Sworn/Affirmed before me at _____ municipality
in _____ province, state or country
on _____ date _____ Commission performing official duties

Commissioner for taking affidavits
(Type or print name below if signature is illegible.)

Signature

(This form is to be signed in front of a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

Court File Number

(Name of court)

**Form 14B: Motion
Form**at _____
Court office address**Names of parties:**

Applicant: Respondent:

Name of case

Hearing date: management judge:

This form is filed by:☐ applicant ☐ respondent ☐ other (Specify)**This motion is made:**☐ with the consent of all persons affected ☐ with notice to all persons affected — unopposed☐ with notice to all persons affected — opposition ☐ without notice
expected

NOTE TO PERSON MAKING THIS MOTION: If this is a motion to change past and future support payments under an order that has been assigned to a government agency, you must also serve this Notice on that agency. If you do not, the agency can ask the court to set aside any order that you may get in this motion and can ask for court costs against you.

Order that you want the court to make: (If you need more space, add an extra sheet but do not make any changes to this form.)**Laws and rules on which you are relying:** (Give name of statute and section numbers; name of regulation and section numbers; and rule numbers.)

Continued on other side. ➡

Form 14B: Motion Form (page 2)

Court file number

I want the court to deal with this motion:

- ☐ by relying only on written material. ☐ in a hearing at which affected persons may attend personally.
☐ by conference telephone call *(An appointment for such a call must be arranged in advance; see rule 14 of the Family Law Rules.)*

At this motion, I am relying on the following material:

- ☐ Tabs/pages of the continuing record
☐ Pages of the transcript of the evidence of *(name of person)*
 dated
(Relevant parts of transcript must be highlighted.)

This party's lawyer *(Give lawyer's name, firm, telephone & fax number and e-mail address. If no lawyer, give party's name, and address for service, telephone & fax number and e-mail address.)*

Other party's lawyer *(Give lawyer's name, firm, telephone & fax number and e-mail address. If no lawyer, give party's name, and address for service, telephone & fax number and e-mail address.)*

 Signature

 Date of signature

Court File Number

(Name of court)

Form 14C: Confirmation

at

Court office address

Applicant(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Respondent(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

- My name is (full legal name)
and I am ☐ the lawyer for (name)
☐ (Other. Specify)
- I have ☐ not been able to contact the opposing lawyer or party in this case to confirm the matters set out in paragraphs 3 to 7 below because: (Give reason for inability to contact other side.)

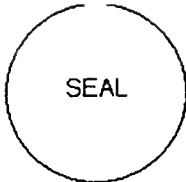
☐ have contacted the opposing lawyer or party and have confirmed the matters set out in paragraphs 3 to 7 below.
- The scheduled date and time for this
☐ motion ☐ case conference ☐ settlement conference ☐ trial management conference
is (date) at o'clock in the morning/afternoon.
- This matter is going ahead ☐ on all the issues.
☐ on only the following issues: (Specify.)

☐ for a consent order regarding: (Specify.)
☐ for an adjournment on consent to (date) because
(Give reason for adjournment.)

☐ for a contested adjournment to (date) asked for
by (name of person asking for adjournment) because
(State reason for adjournment.)
- The judge should read pages/tabs of the continuing record.
- Time estimate: ☐ applicant: minutes; ☐ respondent: minutes.
- The case management judge for this case is (name of judge)

Lawyer's or party's signature

Date of signature



Court File Number

(Name of court)

at

Court office address

**Form 14D: Order on
Motion without Notice**
Applicant(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Judge (print or type name)

Respondent(s)

Date of order

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

The court heard a motion made by (name of person or persons who made the motion)

without notice to (name)

The following persons were in court (names of parties and lawyers in court at time of the motion)

For this motion, the court read (list the documents filed on the motion)

The court also received and heard submissions on behalf of (name or names)

THIS COURT ORDERS THAT:

Put a line through any blank space left on this page.

Continued on other side. ➡

Form 14D: Order on Motion without Notice (page 2)

Court file number

Put a line through any blank space left on this page.

Date of signature

*Signature of judge or clerk of the court***NOTICE TO (name)**

This order has been made without notice to you. If you want the court to change this order, you must act as quickly as possible after the order comes to your attention, by serving an affidavit and a notice of motion on the other parties and by filing them together with proof of service at the court office.

Court File Number

(Name of court)

**Form 15: Change
Information Form (motion
to change child support)**at _____
Court office address**Recipient(s)**Full legal name & address for service — street & number, municipality,
postal code, telephone & fax and e-mail address (if any).Lawyer's name & address — street & number, municipality, postal code,
telephone & fax numbers and e-mail address (if any).**Payor**Full legal name & address for service — street & number, municipality,
postal code, telephone & fax numbers and e-mail address (if any).Lawyer's name & address — street & number, municipality, postal code,
telephone & fax numbers and e-mail address (if any).**PART 1 — GENERAL INFORMATION**

(This part should be filled out to the best ability of the party asking for a change in a child support order.)

My name is (full legal name)

I live in (municipality & province)

and I swear/affirm that the following is true:

- I am the ☐ support recipient. ☐ support payor.
- The payor, (payor's full legal name) _____, lives in (municipality & province) _____
was born on (date of birth) _____,
and, at the present time, is ☐ married ☐ living in a spousal relationship
☐ separated ☐ (Other. Specify.) _____
- The recipient, (recipient's full legal name) _____, lives in (municipality & province) _____
was born on (date of birth) _____,
and, at the present time, is ☐ married ☐ living in a spousal relationship
☐ separated ☐ (Other. Specify.) _____
- The payor and the recipient were:
☐ married on (date) _____ ☐ started living together on (date) _____
☐ separated on (date) _____ ☐ never lived together.
- The following chart gives basic information about the child(ren) in this case:
List all children involved in this case, even those for whom no support is being claimed.

Child's full legal name	Age	Birthdate	Lives in (municipality & province)	Now living with (name of person and relationship to child)	Support claimed for child? (YES or NO)

Continued on other side. ➡

Form 15: Change Information Form
 (motion to change child support) (page 2)

Court file number

Child's full legal name	Age	Birthdate	Lives in (municipality & province)	Now living with (name of person and relationship to child)	Support claimed for child? (YES or NO)

6. The access arrangements for the child(ren) are as follows:

Child's name	Access arrangement

7. I attach a copy of the existing ☐ court order
☐ agreement

that deals with the child support to be varied. The details of this order/agreement are as follows:

Date of order or agreement	Present child support payment	Other terms of child support (such as cost-of-living increases)	Present spousal support payment (if any)
	\$..... per		\$..... per

8. The payment status of this order/agreement as of today is as follows:

Child support owed to recipient	Child support owed to other(s) (such as Ministry of Community & Social Services)	Spousal support owed to recipient	Spousal support owed to other(s) (such as Ministry of Community & Social Services)
\$	\$	\$	\$

(If money is owing, attach a statement of money owed (Form 26).)

9. This order/agreement ☐ has never been
☐ has been
 assigned to ☐ the Ontario Ministry of Community and Social Services
☐ the municipality of (name)
☐ (Other. Specify.)

The details of this assignment are (Give date of assignment, indicate whether it is still in effect and add any other information known to you.)

Continued on next sheet. ➡

Form 15: Change Information Form
(motion to change child support) (page 3)

Court file number

10. I am asking to change the child support in the order/agreement because:

- ☐ the order/agreement was made before the applicable child support guidelines came into effect.
- ☐ a change in circumstances has taken place. *(Give details of material change in circumstances.)*

11. I ask that the child support be calculated as follows:

- ☐ the basic table amount listed in the child support guidelines of *(give a dollar amount where possible)* \$ per month for the *(number of children)* child(ren) on the basis of the payor's total annual income of *(give a dollar amount where possible)* \$ with payments to begin on *(date)*
- ☐ the following special or extraordinary expenses (add-ons):

Child's name	Type of expense	Amount	Payor's share	Child's contribution	Termination date (if known)
		\$	\$	\$	
		\$	\$	\$	
		\$	\$	\$	

- ☐ an amount of \$ per month, which is different from the table amount listed in the child support guidelines, with payments to start on *(date)*
 The reason(s) for my request for a different amount is/are that:

- ☐ the parties consent to a different amount.
- ☐ I have attached a separate sheet to this form that explains why this is a reasonable arrangement for the child(ren).
- ☐ The recipient is getting social assistance payments from a public agency whose consent to this arrangement is needed. I am attaching the agency's consent to this form.
- ☐ as can be seen from paragraphs 5 and 6 above, the parties have shared custody to the child(ren) *(the payor has a child at least 40% of the time)*.
- ☐ I have attached a separate sheet to this form that compares the table amounts from the child support guidelines for each of the parties and that shows the increased cost of the shared custody arrangement and shows the financial circumstances of each party and of each child for whom support is claimed.
- ☐ The parties are consenting to this arrangement and I have attached a separate sheet to this form that explains why this is a reasonable arrangement for the child(ren).
- ☐ as can be seen from paragraph 5 above, custody of the children is split between the parties. I have attached a separate sheet to this form that calculates the difference between the amount that each party would otherwise pay to the other under the guidelines.
- ☐ a child is 18 or more years old and I attach to this form a separate sheet that calculates the amount of support for this child.
- ☐ a child contributes to his/her own support and I attach to this form a separate sheet showing the amount of the child's own income.
- ☐ the payor's annual income is over \$150,000 and I have attached to this form a separate sheet that calculates the amount of support that I want to be put into an order
- ☐ under the order/agreement, *(name of child)* is the subject of special provisions that I have detailed on a separate sheet that I have attached to this form.
- ☐ the payor stand in the place of a natural parent to *(name of child)*
 and I attach to this form a separate sheet that gives the details of another parent's duty to pay support for this child as well as the details of the calculation of the amount of support requested.
- ☐ the amount listed in the child support guidelines would cause undue hardship to me or to the child(ren) for whom support is claimed. I attach to this form a separate sheet that compares the living standards of the parties.

Continued on other side. ➡

Form 15: Change Information Form
(motion to change child support) (page 4)

Court file number

12. I ask that the child support owed be paid off as follows:

- ☐ the child support owed to (name of recipient) should be fixed at \$
as of (date) and to be paid off at the rate of \$
per month, with payments to begin on (date)
- ☐ the child support owed to (name of agency or other person) should be fixed at \$
as of (date) and to be paid off at the rate of \$
per month, with payments to begin on (date)

Sworn/Affirmed before me at
municipality

in
province, state or country

on
date

Commissioner for taking affidavits
(Type or print name below if signature is illegible.)

Signature
(This form is to be signed in front of a
lawyer, justice of the peace, notary public

PART 2 — INFORMATION FROM SUPPORT PAYOR

My name is (full legal name)

I live in (municipality & province)

and I swear/affirm that the following is true:

13. I am the support payor in this case.**14. My total income will be \$ for this year.****15. On the basis of my annual income, the table amount from the child support guidelines for (number of children) child(ren) is \$ per month.****16. My financial statement** ☐ is attached ☐ is not attached.

(NOTE: You do not need to attach a financial statement if you and the other party have filled out the appropriate portion of the consent (Form 15A) and have agreed not to file a financial statement. Nevertheless, because the child support guidelines have a new way of computing the amount of child support, YOU MUST PROVIDE THE COURT WITH NEW ADDITIONAL INFORMATION. That amount is set out in a table that is geared to the payor's annual income and to the number of children who are entitled to support. Under certain conditions, the annual income of the recipient may also be taken into account, in which case, the recipient will have to provide the court with the same additional information in paragraphs 19 and 20 below.)

17. I attach the following financial information about me:

- (a) a copy of every personal income tax return that I filed with Revenue Canada for the 3 most recent taxation years;
- (b) a copy of every notice of assessment or re-assessment from Revenue Canada of those returns; and
- (c) ☐ [applies only if you are an employee] proof of this year's earnings from my employer as required by clause 21(1)(c) of the child support guidelines.
- ☐ [applies only if you are self-employed, or you are a partner in a partnership or you control a corporation or are a beneficiary under a trust] the documents listed in clauses 21(1)(d), (e), (f) or (g) of the child support guidelines.

Sworn/Affirmed before me at
municipality

in
province, state or country

on
date

Commissioner for taking affidavits
(Type or print name below if signature is illegible.)

Signature
(This form is to be signed in front of a
lawyer, justice of the peace, notary public
or commissioner for taking affidavits.)

Continued on next sheet. ➡

Form 15: Change Information Form
(motion to change child support) (page 5)

Court file number

PART 3 — INFORMATION FROM THE SUPPORT RECIPIENT

Because the child support guidelines have a new way of computing the amount of child support, YOU MUST PROVIDE THE COURT WITH NEW ADDITIONAL INFORMATION. That amount is set out in a table that is geared to the payor's annual income and to the number of children who are entitled to support. Under certain conditions, the annual income of the recipient may also be taken into account, in which case, the recipient will have to provide the court with the same additional information in paragraph 19 and 20 below.

My name is (full legal name)

I live in (municipality & province)

and I swear/affirm that the following is true:

18. I am the support recipient in this case.

Fill in paragraphs 19 and 20 only if:

- the change for which you are asking is for an amount that is different from that calculated under the appropriate table in the child support guidelines;
- the change for which you are asking relates to a child over the age of 18 years, a child for whom the payor stands in the place of a parent or a child with respect to whom the payor has access or physical custody not less than 40% of the time over the course of the year;
- each party has custody of one or more children;
- the payor's annual income as determined under the guidelines is more than \$150,000;
- either party claims that an order according to the guidelines amount would result in undue hardship.

19. My total income

- ☐ will be \$ for this year;
- ☐ was \$ for last year; and
- ☐ was \$ for the year before that.

20. I attach the following financial information about me:

- (a) a copy of every personal income tax return that I filed with Revenue Canada for the three most recent taxation years;
- (b) a copy of every notice of assessment or re-assessment from Revenue Canada of those returns; and
- (c) ☐ [applies only if you are an employee] proof of this year's earnings from my employer as required by clause 21(1)(c) of the child support guidelines.
- ☐ [applies only if you are self-employed, or you are a partner in a partnership or you control a corporation or are a beneficiary under a trust] the documents listed in clauses 21(1)(d), (e), (f) or (g) of the child support guidelines.

21. My financial statement ☐ is attached ☐ is not attached.

(NOTE: You do not need to attach a financial statement if you and the other party have signed a consent in Form 15A.)

Sworn/Affirmed before me at

municipality

in

province, state or country

on

date

Commissioner for taking affidavits
(Type or print name below if signature is illegible.)

Signature

(This form is to be signed in front of a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

Court File Number

(Name of court)

Form 15A: Consent
(motion to change
child support)

at Court office address

Recipient(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Payor

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

DO NOT SIGN THIS CONSENT UNTIL BOTH PARTIES HAVE COMPLETED PARTS 1, 2 AND 3 OF FORM 15 — THE INFORMATION FORM TO CHANGE CHILD SUPPORT — AND HAVE ATTACHED ALL OF THE NECESSARY DOCUMENTS. EACH OF YOU SHOULD ALSO GET A LAWYER'S ADVICE BEFORE SIGNING THIS CONSENT.

1. We have each read and completed Form 15 (Information Form to Change Child Support) and understand it.

2. We know that each of us has the right to get advice from his or her own lawyer about this case.

3. ☐ We have attached our financial statements to Form 15.
☐ We have agreed not to file any financial statement with the court.

4. The amount of child support on which we are agreeing is

Paragraph 4 applies to support orders made under only the Family Law Act

☐ equal to or more than what is in the child support guidelines.
☐ less than what is in the child support guidelines. The recipient

☐ is ☐ is not
receiving social assistance.

5. We agree that the child support payments should be changed as follows:

☐ the basic table amount listed in the child support guidelines of (give a dollar amount where possible) \$ per month for the (number of children) child(ren) on the basis of the payor's total annual income of (give a dollar amount where possible) \$, with payments to begin on (date)

☐ the following special or extraordinary expenses:
- | Child's name | Type of expense | Amount | Payor's share | Termination date (if known) |
|--------------|-----------------|--------|---------------|-----------------------------|
| | | \$ | \$ | |
| | | \$ | \$ | |
| | | \$ | \$ | |
- Continued on other side. ➡
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Form 15A: Consent (motion to change child support) (page 2)

Court file number

- ☐ an amount of \$ per month, which is different from the table amount listed in the child support guidelines, with payments to start on *(date)*
6. We also agree that the child support owed be paid off as follows:
- ☐ the child support owed to *(name of recipient)* should be fixed at \$ as of *(date)* and to be paid off at the rate of \$ per month, with payments to begin on *(date)*
- ☐ the child support owed to *(name of agency or other person)* should be fixed at \$ as of *(date)* and to be paid off at the rate of \$ per month, with payments to begin on *(date)*

The parties need not sign this consent on the same day, but each must sign in the presence of his or her witness who signs a moment later.

Payor's signature	Signature of recipient or of recipient's assignee
Date of payor's signature	Date of signature of recipient or of recipient's assignee
Type or print name of witness to payor's signature	Type or print name of witness to signature of recipient or of recipient's assignee
Signature of witness	Signature of witness

Court File Number

(Name of court)

Form 17: Case
Conference Brief

at _____
Court office address

(Name of person filing this brief)

(Date of case conference)

Applicant	Respondent
Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).	Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).
Give your relationship to respondent:	Give your relationship to applicant:
Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

NOTE: CASE CONFERENCE BRIEFS MUST BE EXCHANGED 7 OR MORE DAYS BEFORE THE CASE CONFERENCE. THE BRIEFS WILL BE EITHER RETURNED AT THE END OF THE CONFERENCE OR IMMEDIATELY DESTROYED BY COURT STAFF.

NOTE: You can leave out any part of this form that is not applicable.

PART 1: THE ISSUES

1. What are the issues in this case that have NOT yet been settled:
- ☐ child custody ☐ access ☐ child support ☐ child protection
- ☐ spousal support ☐ division of property ☐ ownership of property ☐ possession of home
- ☐ restraining order ☐ (Other. Specify.)
2. Are any of these issues so urgent that they need the court's attention by way of a temporary order or otherwise?
- ☐ No
- ☐ Yes. (Give details.)
3. What are this Issues in this case that HAVE been settled:
- ☐ child custody ☐ access ☐ child support ☐ child protection
- ☐ spousal support ☐ division of property ☐ ownership of property ☐ possession of home
- ☐ restraining order ☐ (Other. Specify.)
4. Have any of the Issues that have been settled been turned into a court order or a written agreement?
- ☐ No
- ☐ Yes ☐ an order
- ☐ a written agreement dated (date of agreement)
- (Attach a copy of any agreement that the Judge should need to prepare for the case conference.)
5. Have any attempts to reconcile been made?
- ☐ No. ☐ There is no possibility of reconciliation. ☐ Yes. (Give details.)

Continued on other side. ➡

Form 17: Case Conference Brief (page 2)

Court file number

PART 2: MARRIAGE, COHABITATION AND SEPARATION*In child protection cases, this Part should set out the facts only about the respondent(s) — usually, the parent(s).*

6. **APPLICANT:** Age: Birthdate:
 Resident in (municipality & province)
 since (date)
 Surname at birth: Surname just before marriage:
 Divorced before? ☐ No ☐ Yes
 If yes, give place and date of previous divorce:
7. **RESPONDENT:** Age: Birthdate:
 Resident in (municipality & province)
 since (date)
 Surname at birth: Surname just before marriage:
 Divorced before? ☐ No ☐ Yes
 If yes, give place and date of previous divorce:
8. **RELATIONSHIP DATES:**
☐ Married on (date) ☐ Started living together on (date)
☐ Separated on (date) ☐ Never lived together. ☐ Still living together.
9. At separation, were there any unwritten or written arrangements between the parties?
☐ No.
☐ Yes. (Give details, including the date of the arrangement, which party is now living in the family home now, when the other party moved out and any special circumstances about the move. If any part of the arrangement was written down, attach a copy.)

PART 3: THE CHILD(REN)

10. The basic information about the child(ren) is as follows:

Child's full legal name	Age	Birthdate (day, month, year)	Grade/Year and school	Now living with

11. The access arrangements for the child(ren) are as follows: (Beside each child's name, give details of access arrangements.)

Child's name

Access arrangements

.....

.....

Continued on next sheet. ➔

Form 17: Case Conference Brief (page 3)

Court file number

.....

.....

.....

.....

.....

12. Are there any special concerns about the child(ren) (for example, health or education) that the case conference judge should know about?
- ☐ No.
- ☐ Yes. (Beside each child's name, give details of concern or problem.)

Child's name	Concern or problem
.....
.....
.....

13. Are you asking for any changes to the custody and access arrangement that you now have?
- ☐ No.
- ☐ Yes. (Give details of your proposed change.)

14. Do you feel that a custody or access assessment is needed in this case? ☐ No ☐ Yes.
- If "Yes", do you need a court order for an assessment? ☐ No ☐ Yes.

15. Should the Office of the Children's Lawyer be involved in this case for one or more of the children?
- ☐ No ☐ Yes.

16. Have you attended a family law information meeting?
- ☐ No ☐ Yes, on (date)

17. (For child protection cases only.)
- Has any of the parties prepared a plan of care for the children?
- ☐ The children's aid society. ☐ The respondent(s). ☐ No one.
- (Attach a copy unless it is already part of the continuing record, in which case, give the tab/page number(s):.....)

PART 4: FINANCIAL INFORMATION

Not to be filled out in child protection cases unless the children's aid society is claiming support, in which case set out the facts only about the respondents.

18. The applicant's gross annual income is \$.....
- The respondent's gross annual income is \$.....

19. The details of that income (investment, trusts, salaries, commissions, overtime, etc.) is as follows:

APPLICANT		RESPONDENT	
Source	Amount	Source	Amount

Continued on other side. ➡

Form 17: Case Conference Brief (page 4)

Court file number

APPLICANT		RESPONDENT	
Source	Amount	Source	Amount

PART 5: PROPERTY*Not to be filled out in child protection cases. Go to Part 6*

20. I live in ☐ a house ☐ an apartment ☐ (Other. Specify.)
that I ☐ rent. ☐ own.

(If you not rent your home, fill out the information below.)

- ☐ I am the sole owner of the home.
☐ (Name) and I own the home.
☐ (Name) Is the only owner.
☐ (Other. Specify.)

Does the property have a mortgage?

- ☐ No. ☐ Yes, and the amount still owing is \$.....

21. Have the parties agreed on the separation date?

- ☐ No ☐ Yes. It is (date)

22. Have the parties agreed on the value of some or all of the assets on the separation date?

- ☐ No
☐ Yes. (List the assets and the agreed-upon value. If you need more space, attach a sheet.)

23. If the parties cannot agree on the value of some or all of the assets, is there an agreement on who will be doing the valuation?

- ☐ No ☐ Yes. The valuator's name is (name)

24. Is there a dispute over the ownership of any or all of the assets? ☐ No. ☐ Yes.

(In the table below, list the assets on whose ownership there is agreement. Then list those assets whose ownership is disputed.)

Owned by applicant		Owned by respondent		Jointly owned	
Description of asset	Value	Description of asset	Value	Description of asset	Value

Continued on next sheet. ➡

Form 17: Case Conference Brief (page 5)

Court file number

Owned by applicant		Owned by respondent		Jointly owned	
Description of asset	Value	Description of asset	Value	Description of asset	Value

(List the assets whose ownership is disputed.)

25. Is there a dispute over who is supposed to pay the debts of the parties?

- ☐ No. (Do not fill out table below.) ☐ Yes. (Give details in table below.)

Person to Whom Debt Owed	Reason for Getting into Debt	Amount Still Owed

PART 6: SUPPORT ISSUES

Not to be filled out in child protection cases unless the children's aid society is claiming support, in which case set out the facts only about the respondents.

26. Is there an agreement or a court order for child support?

- ☐ No.
☐ Yes, ☐ an agreement ☐ a court order

made on (date) that provides for a
 child support total of \$ per for (number of children) child(ren)
 and this amount ☐ is being paid.
 ☐ is not being paid in full. (Attach a statement of money owed — Form 26.)

27. Is there anyone else who is supporting the child(ren)?

- ☐ No.
☐ Yes. The name of this other person is

28. Is any of the parties supporting a former spouse or child(ren) of another relationship?

- ☐ No.
☐ Yes. (Give details.)

29. Support is being claimed for the following children:

Child's name	Age	Special or extraordinary expenses for child (add-ons)

Continued on other side. ➡

Form 17: Case Conference Brief (page 6)

Court file number

Child's name	Age	Special or extraordinary expenses for child (add-ons)

30. Is there an agreement or a court order for spousal support?

☐ No.☐ Yes, ☐ an agreement ☐ a court order

made on (date) that provides for spousal support of \$ per, and this amount

☐ is being paid.☐ is not being paid in full. (Attach a statement of money owed — Form 26.)

31. Is there a claim for spousal support in this case?

☐ No.☐ Yes, and it is being made by (claimant's name) for the sum of \$ per

32. Are there any health issues for the parties that can affect the need for support or the ability to pay support?

☐ No.☐ Yes. (Attach a copy of any relevant medical report or other health record.)

33. Provide the following employment information about the parties:

	Applicant	Respondent
Employment status	<input type="checkbox"/> employed <input type="checkbox"/> self-employed <input type="checkbox"/> on disability <input type="checkbox"/> unemployed	<input type="checkbox"/> employed <input type="checkbox"/> self-employed <input type="checkbox"/> on disability <input type="checkbox"/> unemployed
Usual occupation(s)		
If unemployed or on disability, how long?		
Plans to retrain or to upgrade		

PART 7: OTHER ISSUES

34. Are there any disclosure orders that need to be made in this case?

☐ No.☐ Yes. ☐ Pension valuation for (name of party)
☐ (Other. Specify.)

Continued on next sheet. ➡

Form 17: Case Conference Brief (page 7)

Court file number

35. Are there any further issues or concerns about which the case conference judge should be aware?

- ☐ No.
- ☐ Yes. (Give details.)

36. What is your timetable for the next steps in this case before the settlement conference?

Step in the case	Date

37. When will you be ready to attend a settlement conference? (Give earliest date.)

Signature of party

Date of party's signature

Signature of party's lawyer

Date of lawyer's signature

Court File Number

(Name of court)

**Form 17A: Settlement
Conference Brief**at _____
Court office address

(Name of person filing this brief)

(Date of settlement conference)

Applicant**Respondent**

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).	Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).
Give your relationship to respondent:	Give your relationship to applicant:
Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

NOTE: SETTLEMENT CONFERENCE BRIEFS MUST BE EXCHANGED 7 OR MORE DAYS BEFORE THE SETTLEMENT CONFERENCE. THE BRIEFS WILL BE EITHER RETURNED AT THE END OF THE CONFERENCE OR IMMEDIATELY DESTROYED BY COURT STAFF.

NOTE: You can leave out any part of this form that is not applicable.

PART 1: THE ISSUES**1. What are the issues in this case that have NOT yet been settled:**

- | | | | |
|--|---|--|---|
| <input type="checkbox"/> child custody | <input type="checkbox"/> access | <input type="checkbox"/> child support | <input type="checkbox"/> child protection |
| <input type="checkbox"/> spousal support | <input type="checkbox"/> division of property | <input type="checkbox"/> ownership of property | <input type="checkbox"/> possession of home |
| <input type="checkbox"/> restraining order | <input type="checkbox"/> (Other. Specify.) | | |

2. Are any of these issues so urgent that they need the court's attention by way of a temporary order or otherwise?

- ☐ No
☐ Yes. (Give details.)

3. What are the issues in this case that HAVE been settled:

- | | | | |
|--|---|--|---|
| <input type="checkbox"/> child custody | <input type="checkbox"/> access | <input type="checkbox"/> child support | <input type="checkbox"/> child protection |
| <input type="checkbox"/> spousal support | <input type="checkbox"/> division of property | <input type="checkbox"/> ownership of property | <input type="checkbox"/> possession of home |
| <input type="checkbox"/> restraining order | <input type="checkbox"/> (Other. Specify.) | | |

4. Have any of the issues that have been settled been turned into a court order or a written agreement?

- ☐ No
☐ Yes ☐ an order
☐ a written agreement dated (date of agreement)

(Attach a copy of any agreement that the judge should read to prepare for the settlement conference.)

Continued on other side. ➡

———— PART 2: MARRIAGE, COHABITATION AND SEPARATION ————

In child protection cases, this Part should set out the facts only about the respondent(s) — usually, the parent(s).

5. **APPLICANT:** Age: Birthdate:
Resident in (municipality & province)
since (date)
Surname at birth: Surname just before marriage:
Divorced before? ☐ No ☐ Yes
If yes, give place and date of previous divorce:
6. **RESPONDENT:** Age: Birthdate:
Resident in (municipality & province)
since (date)
Surname at birth: Surname just before marriage:
Divorced before? ☐ No ☐ Yes
If yes, give place and date of previous divorce:
7. **RELATIONSHIP DATES:**
☐ Married on (date) ☐ Started living together on (date)
☐ Separated on (date) ☐ Never lived together. ☐ Still living together.
8. At separation, were there any unwritten or written arrangements between the parties?
☐ No.
☐ Yes. (Give details, including the date of the arrangement, which party is now living in the family home now, when the other party moved out and any special circumstances about the move. If any part of the arrangement was written down, attach a copy.)

———— PART 3: THE CHILD(REN) ————

9. The basic information about the child(ren) is as follows:

Child's full legal name	Age	Birthdate (day, month, year)	Grade/Year and school	Now living with

10. The access arrangements for the child(ren) are as follows: (Beside each child's name, give details of access arrangements.)
- | Child's name | Access arrangements |
|--------------|---------------------|
| | |
| | |

Continued on next sheet. ➡

Form 17A: Settlement Conference Brief (page 3)

Court file number

11. Are there any special concerns about the child(ren) (for example, health or education) that the settlement conference judge should know about?

☐ No.
☐ Yes. (Beside each child's name, give details of concern or problem.)

Child's name

Concern or problem

12. Are you asking for any changes to the custody and access arrangement that you now have?

☐ No.
☐ Yes. (Give details of your proposed change.)

13. Has a custody or access assessment been finished in this case?

☐ No ☐ Yes. (Attach a copy unless it is already part of the continuing record, in which case, give the tab/page number(s):)

14. Is the Office of the Children's Lawyer to be involved in this case for one or more of the children?

☐ No ☐ Yes.

15. Have you attended a family law information meeting?

☐ No ☐ Yes, on (date)

16. (For child protection cases only.)

Has any of the parties prepared a plan of care for the children?

☐ the children's aid society. ☐ the respondent(s). ☐ No one.

(Attach a copy unless it is already part of the continuing record, in which case, give the tab/page number(s):)

PART 4: FINANCIAL INFORMATION

Not to be filled out in child protection cases unless the children's aid society is claiming support, in which case set out the facts only about the respondents.

17. The applicant's gross annual income is \$.....

The respondent's gross annual income is \$.....

18. The details of that income (investment, trusts, salaries, commissions, overtime, etc.) is as follows:

APPLICANT		RESPONDENT	
Source	Amount	Source	Amount

Continued on other side. ➡

Form 17A: Settlement Conference Brief (page 4)

Court file number

APPLICANT		RESPONDENT	
Source	Amount	Source	Amount

PART 5: PROPERTY

Not to be filled out in child protection cases. Go to Part 6.

19. I live in ☐ a house ☐ an apartment ☐ (Other. Specify.)
that I ☐ rent. ☐ own.

(If you not rent your home, fill out the information below.)

- ☐ I am the sole owner of the home.
☐ (Name) and I own the home.
☐ (Name) is the only owner.
☐ (Other. Specify.)

Does the property have a mortgage?

- ☐ No. ☐ Yes, and the amount still owing is \$

20. Have the parties agreed on the separation date?

☐ No ☐ Yes. It is (date)

21. Have the parties agreed on the value of some or all of the assets on the separation date?

- ☐ No
☐ Yes. (List the assets and the agreed-upon value. If you need more space, attach a sheet.)

22. If the parties cannot agree on the value of some or all of the assets, is there an agreement on who will be doing the valuation?

☐ No ☐ Yes. The valuator's name is (name)

23. Is there a dispute over the ownership of any or all of the assets? ☐ No. ☐ Yes.

(In the table below, list the assets on whose ownership there is agreement. Then list those assets whose ownership is disputed.)

Owned by applicant		Owned by respondent		Jointly owned	
Description of asset	Value	Description of asset	Value	Description of asset	Value

Continued on next sheet. ➡

Form 17A: Settlement Conference Brief (page 5)

Court file number

Owned by applicant		Owned by respondent		Jointly owned	
Description of asset	Value	Description of asset	Value	Description of asset	Value

(List the assets whose ownership is disputed.)

24. Is there a dispute over who is supposed to pay the debts of the parties?

- ☐
- No. (Do not fill out table below.)
- ☐
- Yes. (Give details in table below.)

Person to Whom Debt Owed	Reason for Getting into Debt	Amount Still Owed

25. Have all the persons needed to decide the property, ownership and debt issues in this case been made parties to the case? ☐ Yes. ☐ No. (List the persons who still need to be added as parties.)

PART 6: SUPPORT ISSUES

Not to be filled out in child protection cases unless the children's aid society is claiming support, in which case set out the facts only about the respondents.

26. Is there an agreement or a court order for child support?

- ☐
- No.
-
- ☐
- Yes,
- ☐
- an agreement
- ☐
- a court order

made on (date) that provides for a

child support total of \$ per for (number of children) child(ren)

and this amount ☐ is being paid.☐ is not being paid in full. (Attach a statement of money owed — Form 26.)

27. Is there anyone else who is supporting the child(ren)?

- ☐
- No.
-
- ☐
- Yes. The name of this other person is

28. Is any of the parties supporting a former spouse or child(ren) of another relationship?

- ☐
- No.
- ☐
- Yes. (Give details.)

Continued on other side. ➡

Form 17A: Settlement Conference Brief (page 6)

Court file number

29. Support is being claimed for the following children:

Child's name	Age	Special or extraordinary expenses for child (add-ons)

30. Is there an agreement or a court order for spousal support?

- ☐ No.
☐ Yes, ☐ an agreement ☐ a court order

made on (date) that provides for
spousal support of \$ per, and this amount
☐ is being paid.
☐ is not being paid in full. (Attach a statement of money owed — Form 26.)

31. Is there a claim for spousal support in this case?

- ☐ No.
☐ Yes, and it is being made by (claimant's name) for
the sum of \$ per

32. Are there any health issues for the parties that can affect the need for support or the ability to pay support?

- ☐ No.
☐ Yes. (Attach a copy of any relevant medical report or other health record.)

33. Provide the following employment information about the parties:

	Applicant	Respondent
Employment status	<input type="checkbox"/> employed <input type="checkbox"/> self-employed <input type="checkbox"/> on disability <input type="checkbox"/> unemployed	<input type="checkbox"/> employed <input type="checkbox"/> self-employed <input type="checkbox"/> on disability <input type="checkbox"/> unemployed
Usual occupation(s)		
If unemployed or on disability, how long?		
Plans to retrain or to upgrade		

Continued on next sheet. ➡

Form 17A: Settlement Conference Brief (page 7)

Court file number

—— PART 7: RECONCILIATION, MEDIATION AND ASSESSMENT ——

34. Have any attempts to reconcile been made?

- ☐ No.
☐ There is no possibility of reconciliation.
☐ Yes. (Give details.)

35. Would you like any information about counselling or guidance facilities?

- ☐ No. ☐ Yes.

—— PART 8: PROCEDURAL MATTERS ——

36. Have discoveries/cross-examinations taken place?

- ☐ Yes. ☐ No. ☐ Still in progress. ☐ Not needed in this case.

37. The following matters relating to discoveries/cross-examinations still remain unfinished: (Give details, if any.)

38. I attach a summary of the relevant orders in this case. (Attach the summary of court cases — Form 8E.)

39. Have those orders been carried out?

- ☐ Yes. ☐ No. (Explain.)

40. Does the application, answer or reply need to be changed?

- ☐ No. ☐ Yes. (Explain.)

41. The next steps in this case should be:

42. Are there any tax implications of the claims made in this case?

- ☐ No. ☐ Yes. (Give details. If you need more space, attach an additional sheet and number it.)

43. I am attaching a copy of an offer to settle that is now open for acceptance. (If there is no offer, you MUST make and attach one.)

44. Who are the witnesses whom you intend to call at trial? (Give names.)

Continued on other side. ➡

Form 17A: Settlement Conference Brief (page 8)

Court file number

45. Of those witnesses, the following will be experts who will talk about the following things:

Name of expert witness	Summary of expert's evidence

46. I estimate that the time needed for my witnesses to testify and to be cross-examined, for the presenting of any documentary evidence at trial is days.

47. Are there any dates on which you or your lawyer cannot come to court for the trial?

☐ No. ☐ Yes. (*List the problem dates and explain the problem.*)

Attach the following documents that are relevant to the remaining issues in this case. Use numbered tabs to separate them.

1. If support is an issue for the trial:— Your financial statement, which must not be more than 30 days old. If it is older, it must be accompanied by your affidavit saying that the information in the statement is still correct today.
2. If property is an issue for the trial:— Your net family property statement, which must not be more than 30 days old. If it is older, it must be accompanied by your affidavit saying that the information in the statement is still correct today. It must also be accompanied by documents confirming any figures in this case, including valuations of business, pension, land or other property.
3. If child support is an issue for the trial and
 - (a) a party's income is over \$150,000 per year; or
 - (b) a child is 18 years of age or more; or
 - (c) there is a claim for special or extraordinary expenses (add-ons) for the child(ren); or
 - (d) there is a claim for undue hardship in paying child support:—

A budget for the child(ren)'s expenses, including the child(ren)'s portion of the cost of housing, utilities, food, etc. relating to the child(ren) and the basis for the portion allocated to child(ren).
4. If custody or access is an issue for the trial:— Assessment reports on custody or access and Children's Lawyer's reports (if any).
5. If this is a child protection case:— The plan of care from the children's aid society and (if any) from the respondent(s).
6. Medical reports.
7. Your latest offer to settle that remains open for acceptance. If there is none open for acceptance, you must make an offer and attach it.
8. Any cases, text extracts or articles that would help the judge prepare for the settlement conference.
9. Any other relevant documents that would help the judge prepare for the settlement conference.

Signature of party_____
Date of party's signature_____
Signature of party's lawyer_____
Date of lawyer's signature

Court File Number

(Name of court)

**Form 17B: Trial
Management
Conference Brief**at _____
Court office address

(Name of person filing this brief)

(Date of trial management conference)

Applicant**Respondent**Full legal name & address for service — street & number, municipality,
postal code, telephone & fax and e-mail address (if any).Full legal name & address for service — street & number, municipality,
postal code, telephone & fax and e-mail address (if any).

Give your relationship to respondent:

Give your relationship to applicant:

Lawyer's name & address — street & number, municipality, postal code,
telephone & fax numbers and e-mail address (if any).Lawyer's name & address — street & number, municipality, postal code,
telephone & fax numbers and e-mail address (if any).**NOTE: TRIAL MANAGEMENT CONFERENCE BRIEFS MUST BE EXCHANGED 7 OR MORE DAYS BEFORE THE TRIAL MANAGEMENT CONFERENCE. THE BRIEFS WILL BE EITHER RETURNED AT THE END OF THE CONFERENCE OR IMMEDIATELY DESTROYED BY COURT STAFF.**

NOTE: You can leave out any part of this form that is not applicable.

PART 1: THE ISSUES**1. What are the issues in this case that have NOT yet been settled:**

- | | | | |
|--|---|--|---|
| <input type="checkbox"/> child custody | <input type="checkbox"/> access | <input type="checkbox"/> child support | <input type="checkbox"/> child protection |
| <input type="checkbox"/> spousal support | <input type="checkbox"/> division of property | <input type="checkbox"/> ownership of property | <input type="checkbox"/> possession of home |
| <input type="checkbox"/> restraining order | <input type="checkbox"/> (Other. Specify.) | | |

2. What are the issues in this case that HAVE been settled:

- | | | | |
|--|---|--|---|
| <input type="checkbox"/> child custody | <input type="checkbox"/> access | <input type="checkbox"/> child support | <input type="checkbox"/> child protection |
| <input type="checkbox"/> spousal support | <input type="checkbox"/> division of property | <input type="checkbox"/> ownership of property | <input type="checkbox"/> possession of home |
| <input type="checkbox"/> restraining order | <input type="checkbox"/> (Other. Specify.) | | |

3. Have any of the issues that have been settled been turned into a court order or a written agreement?☐ No☐ Yes ☐ an order☐ a written agreement dated (date of agreement)

(Attach a copy of any agreement that the judge should read to prepare for the trial management conference.)

Continued on other side. ➡

Form 17B: Trial Management Conference Brief (page 2)

Court file number

—— PART 2: PROCEDURAL MATTERS ——

5. Are all matters concerning discoveries/cross-examinations finished?
☐ Yes. ☐ No. *(Give details.)*
6. I attach a list of the relevant orders in this case. *(Attach the summary of court cases — Form 8E.)*
7. Are there any orders or directions for trial that have not been carried out?
☐ No. ☐ Yes. *(Explain.)*
8. Have the parties produced a joint document brief?
☐ Yes. *(Attach a copy.)* ☐ No. *(Explain why not.)*
9. Have the parties agreed that the trial judge can receive some evidence by affidavit or in the form of a written report, subject to cross-examination?
☐ Yes. *(Attach a copy.)* ☐ No. *(Explain why not.)*
10. Are there any preliminary or procedural matters that need to be dealt with before or at the start of the trial?
☐ No. ☐ Yes. *(Explain.)*

—— PART 3: ISSUES FOR TRIAL ——

11. Have the parties produced a statement of agreed facts?
☐ Yes. *(Attach a copy.)* ☐ No. *(Explain why not.)*

Continued on next sheet ➡

Form 17B: Trial Management Conference Brief (page 3)

Court file number

12. What are the remaining issues in this case?*(For each issue, summarize:*

- (a) the undisputed facts;*
- (b) the theory of your case on that issue; and*
- (c) the evidence that you plan to present on that issue.*

*This summary should be a draft of your opening statement for the trial. If you need more space, attach an extra sheet and number it.)**Put a line through any blank space left on this page.**Continued on other side. ➡*

Form 17B: Trial Management Conference Brief (page 4)

Court file number

13. These are the witnesses whom I plan to have testify for me and this is a summary of what I expect them to say:

Name of witness	Summary of expected evidence

14. I estimate that the time needed for my witnesses to testify and to be cross-examined, for the presenting of my documentary evidence at trial is days.

Attach the following documents that are relevant to the remaining issues in this case. Use numbered tabs to separate them.

1. If support is an issue for the trial:— Your financial statement, which must not be more than 30 days old. If it is older, it must be accompanied by your affidavit saying that the information in the statement is still correct today.
2. If property is an issue for the trial:— Your net family property statement, which must not be more than 30 days old. If it is older, it must be accompanied by your affidavit saying that the information in the statement is still correct today. It must also be accompanied by documents confirming any figures in this case, including valuations of business, pension, land or other property.
3. If child support is an issue for the trial and
 - (a) a party's income is over \$150,000 per year; or
 - (b) a child is 18 years of age or more; or
 - (c) there is a claim for special or extraordinary expenses (add-ons) for the child(ren); or
 - (d) there is a claim for undue hardship in paying child support:—

A budget for the child(ren)'s expenses, including the child(ren)'s portion of the cost of housing, utilities, food, etc. relating to the child(ren) and the basis for the portion allocated to child(ren).
4. If custody or access is an issue for the trial:— Assessment reports on custody or access and Children's Lawyer's reports (if any).
5. If this is a child protection case:— The plan of care from the children's aid society and (if any) from the respondent(s).
6. Any other relevant documents that would help the judge prepare for the trial management conference.

Signature of party_____
Date of party's signature_____
Signature of party's lawyer_____
Date of lawyer's signature

Court File Number

(Name of court)

**Form 20: Request
for Information**at _____
Court office address**Applicant(s)**

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Respondent(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

TO: (name of party)This is a request for information in writing under subrule 20(2) of the *Family Law Rules*.

I request that the information be provided within days by

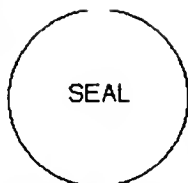
- ☐ an affidavit from (name of person(s))
- ☐ a letter from (name of person(s))
- ☐ (Other. Specify.)

The information that I am requesting is as follows: (Be as specific as possible. If you want more than one piece of information, number the requested pieces of information.)

IF YOU DO NOT PROVIDE THE INFORMATION AS REQUESTED,

- (1) A SUMMONS MAY BE SERVED ON YOU, REQUIRING YOU TO BE QUESTIONED ABOUT IT; or
- (2) A MOTION MAY BE MADE TO THE COURT FOR AN ORDER REQUIRING YOU TO PROVIDE THE INFORMATION AND YOU MAY BE ORDERED TO PAY THE COSTS OF THE MOTION.

Signature_____
Date of signature



(Name of court)

Court File Number

at _____
Court office address

Form 20A:
Authorization to
Commissioner

Applicant(s)

<p><i>Full legal name & address for service — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>	<p><i>Lawyer's name & address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>
--	--

Respondent(s)

<p><i>Full legal name & address for service — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>	<p><i>Lawyer's name & address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>
--	--

TO (full legal name and address of commissioner)

THE COURT HAS NAMED YOU A COMMISSIONER to take evidence in this case. A copy of the order naming you is attached.

THE COURT GIVES YOU FULL POWER to take the necessary steps to take the evidence mentioned in the attached order.

If the parties consent, you also have the power to take the evidence of any other witnesses who may be found in (name of province, territory, state or country)

In carrying out your duties under this commission, you must follow,

- (a) the terms of the attached order; and
- (b) the instructions set out below.

As soon as ☐ an audio recording
☐ a video recording
☐ a transcript

of the evidence is finished, you must deliver it to the clerk of the court along with this commission.

Signature

Date of signature

NOTE: Attach the court's order naming the commissioner

Continued on other side. ➡

Court file number

384

Form 20A: Authorization to Commissioner (page 3)

Court file number

You may take this oath or affirmation before any person listed in section 45 of Ontario's *Evidence Act* who is authorized to take affidavits or to administer oaths or affirmations outside Ontario. Section 45 of the *Evidence Act* states:

45. Oaths, etc., administered outside Ontario.—(1) An oath, affidavit, affirmation or statutory declaration administered, sworn, affirmed or made outside Ontario before,

- (a) a judge;
- (b) a magistrate;
- (c) an officer of a court of justice;
- (d) a commissioner for taking affidavits or other competent authority of the like nature;
- (e) a notary public;
- (f) the head of a city, town, village, township or other municipality;
- (g) an officer of any of Her Majesty's diplomatic or consular services, including an ambassador, envoy, minister, chargé d'affaires, counsellor, secretary, attaché, consul-general, consul, vice-consul, pro-consul, consular agent, acting consul-general, acting consul, acting vice-consul and acting consular agent;
- (h) an officer of the Canadian diplomatic, consular or representative services, including, in addition to the diplomatic and consular officers mentioned in clause (g), a high commissioner, permanent delegate, acting high commissioner, acting permanent delegate, counsellor and secretary; or
- (i) a Canadian Government trade commissioner or assistant trade commissioner,

exercising his or her functions or having jurisdiction or authority as such in the place in which it is administered, sworn, affirmed or made, is as valid and effectual to all intents and purposes as if it had been duly administered, sworn, affirmed or made in Ontario before a commissioner for taking affidavits in Ontario.

(2) *Idem.*—An oath, affidavit, affirmation or statutory declaration administered, sworn, affirmed or made outside Ontario before a notary public for Ontario or before a commissioner for taking affidavits in Ontario is as valid and effectual to all intents and purposes as if it had been duly administered, sworn, affirmed or made in Ontario before a commissioner for taking affidavits in Ontario.

(3) *Admissibility.*—A document that purports to be signed by a person mentioned in subsection (1) or (2) in testimony of an oath, affidavit, affirmation or statutory declaration having been administered, sworn, affirmed or made before him or her, and on which the person's office is shown below his or her signature, and

- (a) in the case of a notary public, that purports to have impressed thereon or attached thereto his or her official seal;
- (b) in the case of a person mentioned in clause (1)(f), that purports to have impressed thereon or attached thereto the seal of the municipality;
- (c) in the case of a person mentioned in clause (1)(g), (h) or (i), that purports to have impressed thereon or attached thereto his or her seal or the seal or stamp of his or her office or of the office to which he or she is attached,

is admissible in evidence without proof of his or her signature or of his or her office or official character or of the seal or stamp and without proof that he or she was exercising his or her functions or had jurisdiction or authority in the place in which the oath, affidavit, affirmation or statutory declaration was administered, sworn, affirmed or made.

4. The party who wants the witness to be questioned must:

- (a) give at least days notice of the date for the questioning; and,
- (b) where the attached order says so, pay the witness appearance money.

5. You must arrange:

- (a) to have the evidence recorded in a manner set out in the attached order; and
- (b) where the order says so, to have it transcribed.

You must administer the following oath or affirmation to the person who records the evidence in shorthand and, where necessary, to the person who transcribes and written, audio or video recording of the evidence:

You ☐ swear ☐ affirm
that you will truly and accurately ☐ record
☐ transcribe
☐ record and transcribe

all questions put to all witnesses and their answers in keeping with the directions of the commissioner. (In an oath, add the words: "So help you God.")

Continued on other side. ➡

Form 20A: Authorization to Commissioner (page 4)

Court file number

6. To each witness whose evidence you take, you must administer the following oath or affirmation:

You ☐ swear ☐ affirmthat the evidence that you are about to give about the matters in dispute between the parties in this case shall be the truth, the whole truth and nothing but the truth. *(In an oath, add the words: "So help you God.")*

7. Where any witness does not understand the language in which he or she is being questioned or is deaf or mute, his or her evidence must be given through an interpreter. You must first administer the following oath or affirmation to the interpreter:

You ☐ swear ☐ affirm

that you understand the language and the language in which the examination is to be conducted and that you will truly interpret the

☐ oath ☐ affirmationto all witnesses, all questions put to the witness and the answers of the witness, to the best of your skill and understanding. *(In an oath, add the words: "So help you God.")*

8. You must:

- (a) fill out the certificate on the next page;
- (b) make a copy of
 - (i) the audio or video record of the evidence,
 - (ii) any transcript of the evidence, and
 - (iii) where possible, any exhibits;
- (c) keep the copies in your care until the court finishes this case;
- (d) mail or deliver the originals, together with this commission and your certificate, to the clerk of the court; and
- (e) immediately notify the party who asked for this questioning that the material has been sent to the clerk of the court.

Continued on next sheet 

Form 20A: Authorization to Commissioner (page 5)

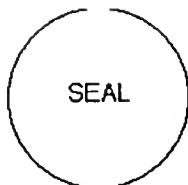
Court file number

COMMISSIONER'S CERTIFICATE

My name is *(full legal name)*
and I certify that:

- ☐ I administered the proper ☐ oath ☐ affirmation
to *(name)*
who was the person who ☐ recorded the evidence by shorthand.
☐ transcribed the evidence.
- ☐ I administered the proper ☐ oath ☐ affirmation
to *(name of witness(es))*
whose evidence was taken and recorded.
- ☐ I administered the proper ☐ oath ☐ affirmation
to *(name of interpreter)*
who was the interpreter through whom the evidence was given.
- ☐ The evidence of the witness(es) was properly taken and accurately
☐ recorded
☐ recorded and transcribed.

*Commissioner's signature*_____
Date of signature



(Name of court)

Court File Number

at _____
Court office address

.....
**Form 20B: Letter
of Request**

Applicant(s)

<p><i>Full legal name & address for service — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>	<p><i>Lawyer's name & address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>
--	--

Respondent(s)

<p><i>Full legal name & address for service — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>	<p><i>Lawyer's name & address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>
--	--

TO THE JUDICIAL AUTHORITIES OF *(name of province, state or country):*

A CASE HAS BEEN STARTED IN THIS COURT INVOLVING THE PERSONS NAMED ABOVE. EVIDENCE BEFORE THIS COURT SHOWS THAT A WITNESS LIVING IN YOUR JURISDICTION SHOULD BE QUESTIONED THERE. THIS COURT HAS ISSUED A COMMISSION TO *(name and address of commissioner):*

TO QUESTION *(name and address of witness):*

YOU ARE REQUESTED to have *(name of witness)*

- (a) appear before the commissioner by the method normally used in your jurisdiction;
- (b) answer questions under oath or affirmation; and
- (c) bring to the examination the documents or things listed on the back of this request.

YOU ARE ALSO REQUESTED TO allow the commissioner to have the witness questioned according to Ontario's law of evidence, to Ontario's rules of court and to the commission issued by this court.

AND WHEN YOU REQUEST IT, the courts in Ontario are ready and willing to do the same for you in a similar case.

THIS LETTER OF REQUEST is signed and sealed by a court order made on *(date of order)*

Clerk of the court

Date of signature

Continued on other side. ➡

Form 20B: Letter of Request (page 2)

Court file number

(Give the date of every document that the witness should bring and give enough of a description of each document or thing that the witness must bring to identify it.)

Put a line through any blank space left on this page. If you need more space, add a sheet and number the page.

Court File Number

(Name of court)

Form 22: Request
to Admitat _____
Court office address**Applicant(s)**

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).
--	--

Respondent(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).
--	--

TO: (name of party)

YOU MUST RESPOND TO THIS REQUEST WITHIN 20 DAYS AFTER BEING SERVED WITH IT.

You make your response by serving a *Response to Request to Admit* in Form 22A, a blank copy of which should be attached to this request. If the blank form is missing, contact your own lawyer or the court office as soon as possible.

IF YOU DO NOT RESPOND WITHIN THE TIME GIVEN, THIS CASE WILL GO TO COURT ON THE BASIS THAT YOU ARE ADMITTING, for the purposes of this case only, THAT THE FACTS SET OUT BELOW ARE TRUE AND THAT THE DOCUMENTS DESCRIBED BELOW ARE GENUINE.

You are requested to admit, only for the purposes of this case, that the following facts are true: (If you need more space to list additional facts, attach an extra sheet.)

- 1.
- 2.
- 3.
- 4.
- 5.

Continued on other side. ➡

Form 22: Request to Admit (page 2)

Court file number

You are requested to admit, only for the purposes of this case, that the following documents are genuine. (Being "genuine" also means:

- that a document that claims to be an original was written, signed or sealed as it appears to have been;
- that a document claiming to be a copy is a true copy of the original; and
- where the document claims to be a copy of a letter, fax, electronic-mail message or other document ordinarily sent from one person to another, that it was sent as it appears to have been sent and received by the person to whom it was addressed.

Describe each document and identify it by date, type of document, author, name of person to whom it was sent, etc. Indicate whether the document is an original or a copy. If you need more space to list additional documents, attach a sheet.)

1.

2.

3.

4.

5.

A copy of each document named above is attached to this Request, except for: (Give the number of any document that you are NOT attaching and state your reason for not doing so. Generally, you must attach copies of all the documents mentioned unless the other party already has a copy or it is impractical to attach a copy.)

Signature

Date of signature

Court File Number

(Name of court)

.....
**Form 22A: Response
to Request to Admit**

at _____
Court office address

Applicant(s)

<i>Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).</i>	<i>Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i>

Respondent(s)

<i>Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i>	<i>Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i>

TO: (name of party)

This is my response to your Request to Admit of (date)
that was served on me on (date)

(Refer to the facts and documents according to the numbering set out in the Request to Admit.)

- 1. I admit that the following facts are true: (fact numbers)
- 2. I admit that the following documents are genuine: (document numbers)
- 3. I deny that the following facts are true: (fact numbers)
- 4. I deny that the following documents are genuine: (document numbers)
- 5. I refuse to admit the following facts for the following reasons: (if you need more space, attach a sheet.)

Fact number	My reasons

Continued on other side. ➡

Form 22A: Response to Request to Admit (page 2)

Court file number

6. I refuse to admit that the following documents are genuine for the following reasons: *(if you need more space, attach a sheet.)*

<i>Document number</i>	<i>My reasons</i>

*Signature*_____
Date of signature

Court File Number

(Name of court)

.....
**Form 23: Summons
to Witness**

at _____
Court office address

Applicant(s)

<p><i>Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).</i></p>	<p><i>Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>
--	--

Respondent(s)

<p><i>Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>	<p><i>Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>
--	--

TO: *(full legal name of witness)*

of *(address: street & number, municipality, postal code)*

YOU MUST:

(1) come to *(address: street & number, municipality)*

on *(date)*, at a.m./p.m.;

(2) give evidence in the case or examination before *(court or other person)*

(3) bring with you the documents and things listed on the back of this summons; and

(4) remain there until this case or examination is finished or until the person conducting it says otherwise.

With this summons, you should get a fee that is calculated for day(s) of attendance as follows:

Appearance allowance of \$	daily	\$
Travel allowance of \$	each way	\$
Overnight hotel and meal allowance		\$
TOTAL		\$

If the case or examination takes up more of your time, you will be entitled to an additional fee.

Date of issue

**IF YOU DO NOT COME AND REMAIN AS REQUIRED
BY THIS SUMMONS, A WARRANT MAY BE ISSUED
FOR YOUR ARREST.**

Continued on other side. ➡

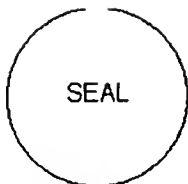
Form 23: Summons to Witness (page 2)

Court file number

(Give the date of every document that the witness must bring and give enough of a description to identify each document or thing that the witness must bring.)

Draw a line through any blank space left on this page. If you need more space, you can add pages and number them.

Name, address, telephone & fax numbers and e-mail address of person or lawyer who prepared this summons.



(Name of court)

Court File Number

at _____
Court office address

**Form 23A: Summons
to Witness outside
Ontario**

Applicant(s)

<p><i>Full legal name & address for service — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>	<p><i>Lawyer's name & address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>
--	--

Respondent(s)

<p><i>Full legal name & address for service — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>	<p><i>Lawyer's name & address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>
--	--

TO: *(full legal name of witness)*
of *(address: street & number, municipality, postal code)*

YOU MUST:

(1) **come to** *(address: street & number, municipality)*

on (date), at a.m./p.m.;

(2) **give evidence in the case or examination before** *(court or other person)*

(3) **bring with you the documents and things listed on the back of this Summons;** and

(4) **remain there until this case or examination is finished or until the person conducting it says otherwise.**

With this *Summons*, you should get a fee that is calculated for day(s) of attendance as follows:

Appearance allowance of \$20 for each day that you are away from home (\$60 minimum)	\$
Travel allowance	\$
Overnight hotel for minimum of 3 days (\$60 minimum)	\$
Meal allowance for minimum of 3 days (\$60 minimum)	\$
TOTAL	\$

If the case or examination takes up more of your time, you will be entitled to an additional fee.

IF YOU DO NOT COME AND REMAIN AS REQUIRED BY THIS SUMMONS, A WARRANT MAY BE ISSUED FOR YOUR ARREST.

Date of issue

Signature of the clerk of the court

Continued on other side. ➡

Form 23A: Summons to Witness outside Ontario (page 2)

Court file number

(Give the date of every document that the witness must bring and give enough of a description to identify each document or thing that the witness must bring.)

Draw a line through any blank space left on this page. If you need more space, you can add pages and number them.

**This summons was
issued at the request
of and inquiries may
be directed to:**
*(Name, address, tele-
phone number & fax
numbers and e-mail ad-
dress of person or lawyer
who requested this sum-
mons.)*

Form 23A: Summons to Witness outside Ontario (page 3)

Court file number

JUDGE'S CERTIFICATE

I, (name), a judge
of the (name of court)

CERTIFY THAT I have heard and examined (name of party or parties who have asked for this Summons or of his, her or their lawyer)

who seek(s) to compel the attendance of (name of witness(es))

to produce documents or other articles or to testify, or both, in an Ontario case in the (name of court in which witness is to appear)
involving (names of parties in the case and court file number)

I FURTHER CERTIFY THAT I am persuaded that the appearance of (name of witness(es))

as a witness/witnesses in the case is necessary for the due adjudication of the case, and, in relation to the nature and importance of cause or proceeding, is reasonable and essential to the due administration of justice in Ontario.

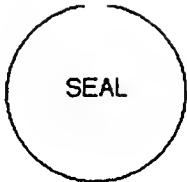
The *Interprovincial Summonses Act* makes the following provision for the immunity of (name of witness(es))

A person who is required to attend before a court in Ontario by a summons adopted by a court outside Ontario shall be deemed, while within Ontario for the purposes for which the summons was issued, not to have submitted to the jurisdiction of the courts of Ontario other than as a witness in the proceedings in which the person is summoned and shall be absolutely immune from seizure of goods, service of process, execution of judgment, garnishment, imprisonment or molestation of any kind relating to a legal or judicial right, cause, action, proceeding or process within the jurisdiction of the Legislature of Ontario except only those proceedings grounded on events occurring during or after the required attendance of the person in Ontario.

(Signature of judge)

(Date of signature)

SEAL OF
THE COURT



Court File Number

(Name of court)

**Form 23B: Order for
Prisoner's Attendance**

at _____
Court office address

Applicant(s)

<i>Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i>	<i>Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i>

Judge (print or type name)

Respondent(s)

<i>Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i>	<i>Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i>

Date of order

TO THE OFFICERS OF *(name of correctional institution)*

AND TO ALL PEACE OFFICERS IN ONTARIO:

THIS COURT has found that a prisoner at the institution or facility named above, *(prisoner's full legal name)*

- is ☐ a party in this case;
☐ a witness whose presence is necessary to decide an issue in this case.

THIS COURT ORDERS THAT:

1. You produce the prisoner before ☐ this court
☐ *(Specify other officer before whom attendance is required)*

on (date) _____, at _____ a.m./p.m. at (address)

to enable the prisoner to come to court or to an examination in this case.

2. The prisoner be returned and re-admitted immediately afterwards to the correctional institution or other facility from which he/she was brought.

Date of signature

Signature of judge or clerk of the court

Court File Number

(Name of court)

**Form 23C: Affidavit for
Uncontested Trial, dated**at _____
Court office address**Applicant(s)**

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Respondent(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

My name is (full legal name)

I live in (municipality & province)

and I swear/affirm that the following is true:

- I am the applicant in this case.
- There is/are (number) child(ren) from our relationship, namely:

Full Legal Name	Age	Birthdate	Resident in (municipality & province)	Now Living with (name of person and relationship to child)

- I am asking for the following order:

- ☐ custody of the child(ren) named above
- ☐ access to the child(ren) named above
- ☐ support for (name of recipient(s))
- ☐ a restraining order against the respondent (name)
- ☐ (Other. Specify.)

- The respondent and I were:

- ☐ married on (date)
- ☐ separated on (date)
- ☐ started living together on (date)
- ☐ never lived together.

Continued on other side. ➡

CUSTODY AND ACCESS

Fill this section out if you are claiming custody of one or more of the children.

5. An order giving me custody of the child(ren) is in the best interests of the child(ren) because: (Give reasons.)

6. An order giving the respondent access to the children
☐ is ☐ is not
in the best interests of the child(ren) because: (Give reasons.)

7. If an order for access is made, it should be:

- ☐ reasonable access on reasonable notice;
- ☐ reasonable access on reasonable notice including but not limited to the terms below;
- ☐ on the following terms:
 - ☐ every other weekend from p.m. on Friday until p.m. on Sunday or Monday, if Monday is a statutory holiday, starting on (date)
 - ☐ alternate spring breaks, starting in (year)
 - ☐ weeks during the summer vacation, to be decided by the parties before April 1 of each year.
 - ☐ one half of the Christmas break, starting on (date) end ending on (date) to be shared as follows:
- ☐ Father's Day with the father; Mother's Day with the mother.
- ☐ (Other. Specify.)

Form 23C: Affidavit for Uncontested Trial (page 3)

Court file number

CHILD SUPPORT*Fill out this section if you are claiming child support.*

8. I am claiming support for (number) child(ren).
9. To the best of my knowledge, the source(s) of the respondent's income is/are: *(Check one or more boxes as circumstances require.)*
- ☐ employment income at *(employer's name and address)*
 - ☐ commissions, tips, overtime, bonuses, etc.
 - ☐ self-employment as *(name or nature of respondent's business)*
 - ☐ *(Other. Specify.)*
10. I believe that the respondent's current annual income from all income sources is \$ for the following reasons: *(Give your reasons for believing the dollar amount set out.)*

SPOUSAL SUPPORT*Fill out this section if you are claiming support for yourself.*

11. I need spousal support for the following reasons: *(Give details of your financial needs.)*

RESTRAINING ORDER*Fill out this section if you are claiming a restraining order against the respondent.*

12. I need an order to restrain the respondent from annoying, molesting or harassing me and my children or from approaching within (distance) metres of: *(Check off one or more boxes.)*
- ☐ me
 - ☐ my home at *(address)*
 - ☐ my place of work at *(address)*
 - ☐ the child(ren)
 - ☐ the child(ren)'s school(s): *(Give names of school(s))*
 - ☐ *(Other. Specify.)*

for the following reasons: *(Give your reasons for needing a restraining order at all end for the distances involved.)*

Form 23C: Affidavit for Uncontested Trial (page 4)

Court file number

LACK OF SERVICE*Fill out this section if the respondent is not going to be served or has not been served.*

NOTE: The Family Law Rules require all documents to be served on the opposing party. The court will make an order even without service, but only in very unusual circumstances such as:

1. An emergency situation where there is not enough time to serve documents or where serving them would put you or your child in danger or would have other serious consequences.
2. Where the court is satisfied that every effort has been made to find the other party and that it is impossible to serve him or her by any means.

13. My application/motion is not being served on the respondent for the following reasons:

OTHER ISSUES

Put a line through any blank space left on this page.

Sworn/Affirmed before me at
municipality

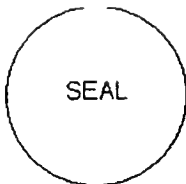
In
province, state or country

on
date

Commissioner for taking affidavits
(Type or print name below if signature is illegible.)

Signature

(This form is to be signed in front of a
lawyer, justice of the peace, notary public
or commissioner for taking affidavits.)



(Name of court)

Court File Number

at _____
Court office address

**Form 25: Order
(General)**

- ☐ Temporary
☐ Final

Applicant(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Judge (print or type name)

Respondent(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Date of order

The court heard an application/motion made by (name of person or persons)

The following persons were in court (names of parties and lawyers in court)

The court received evidence and heard submissions on behalf of (name or names)

THIS COURT ORDERS THAT:

Continued on other side. ➡

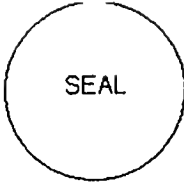
Form 25: Order (General) (page 2)

Court file number

Put a line through any blank space left on this page. If additional space is needed, extra pages may be attached.

Date of signature

Signature of judge or clerk of the court



Court File Number

(Name of court)

**Form 25A: Divorce
Order**

at

Court office address

Applicant(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Judge (print or type name)

Date of order

Respondent(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

The court considered an application of (name)

on (date)

The following persons were in court (Give names of parties and lawyers in court. This paragraph may be struck out if the divorce is uncontested.)

The court received evidence and considered submissions on behalf of (name or names)

THIS COURT ORDERS THAT:

1. (full legal names of spouses)

who were married at (place)

on (date)

be divorced and that the divorce take effect days after the date of this order.

(Add further paragraphs where the court orders other relief.)

Continued on other side. ➡

Form 25A: Divorce Order (page 2)

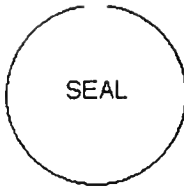
Court file number

Put a line through any blank space left on this page. If additional space is needed, extra pages may be attached.

Date of signature

Signature of judge or clerk of the court

NOTE: Neither spouse is free to remarry until this order takes effect, at which time you can get a Certificate of Divorce from the court office.



Court File Number

(Name of court)

**Form 25B: Secure
Treatment Order**

at

Court office address

Applicant(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Judge (print or type name)

Respondent(s)

Date of order

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

The court heard an application of (name of person or persons)

The following persons were in court (names of parties and lawyers in court)

The court received evidence and heard submissions on behalf of (name or names)

THIS COURT ORDERS THAT:

- ☐ (child's full legal name)
be committed to the secure treatment programme at (name and address of program)
for a period of days, beginning on (date)
- ☐ the commitment of (child's full legal name)
to the secure treatment program at (name and address of program)
be extended for a period of days, beginning on (date)
- ☐ this application for an order ☐ of commitment
☐ extending the commitment
of (child's full legal name)
to the secure treatment programme at (name and address of program)
- be dismissed.
- ☐ (Other. Specify.)

Continued on other side. ➡

Form 25B: Secure Treatment Order (page 2)

Court file number

Put a line through any blank space left on this page. If additional space is needed, extra pages may be attached.

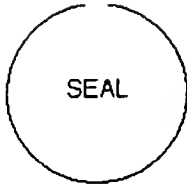
Date of signature

Signature of judge or clerk of the court

NOTE TO ADMINISTRATOR OF SECURE TREATMENT PROGRAM: Subsection 118(3) of the *Child and Family Services Act* states:

In the calculation of a child's period of commitment, time spent in the secure treatment program before an order has been made under section 117 (commitment) or pending an application under section 120 (extension) shall be counted.

NOTE FURTHER that section 125 of the *Child and Family Services Act* authorizes a peace officer to take a child to a place where there is a secure treatment program if an order for the child's commitment to the secure treatment program has been made under section 117.



Court File Number

(Name of court)

Form 25C: Adoption
Orderat _____
Court office address**Applicant(s)**

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Judge (print or type name)**Respondent(s)**_____
Date of order

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

The court heard an application of (name of person or persons)

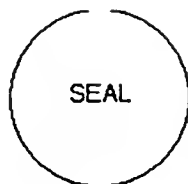
The following persons were in court (names of parties and lawyers in court)

The court received evidence and heard submissions on behalf of (name or names)

THIS COURT ORDERS THAT:

1. The child is adopted as the child of (name of applicant or applicants)
2. The name of the child shall be (child's full legal name)

Date of signature_____
Signature of judge or clerk of the court



Court File Number

(Name of court)

at

Court office address

Form 25D: Order
(Uncontested Trial)

- ☐ Temporary
☐ Final

Applicant(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Judge (print or type name)

Date of order

Respondent(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

The court heard an application/motion made by (name of person or persons)

The following persons were in court (names of parties and lawyers in court)

The court received evidence and submissions on behalf of (name or names)

This order affects the following children:

Child's full legal name	Date of birth (d,m,y)	Sex

PARENTAGE☐ 1. THIS COURT finds that:

- ☐ each child mentioned above is a child of the marriage within the meaning of the *Divorce Act*.
☐ the applicant and respondent are parents of each child mentioned above within the meaning of the *Family Law Act* and the *Children's Law Reform Act*.
☐ (Other. Specify.)

Continued on other side. ➡

Form 25D: Order (Uncontested Trial) (page 2)

Court file number

CUSTODY

- ☐ 2. THIS COURT ORDERS that (name(s)) shall have
- ☐ temporary ☐ final
- ☐ sole ☐ joint.
- custody of each child mentioned above.

ACCESS

- ☐ 3. THIS COURT ORDERS that (name) shall have
- ☐ temporary ☐ final
- access to each child mentioned above. The terms of access are:
- ☐ reasonable access on reasonable notice;
- ☐ reasonable access on reasonable notice including but not limited to the terms below:
- ☐ as follows:
- ☐ every other weekend from p.m. on Friday until p.m. on Sunday or Monday, if Monday is a statutory holiday, starting on (date)
- ☐ alternate spring breaks, starting in (year)
- ☐ weeks during the summer vacation, to be decided by the parties before April 1 of each year.
- ☐ one half of the Christmas break, starting on (date) and ending on (date) to be shared as follows:
- ☐ Father's Day with the father; Mother's Day with the mother.
- ☐ (Other. Specify.)

CHILD SUPPORT

- ☐ 4. THIS COURT FINDS that (name of payor) has an income of \$ and IT ORDERS that (name of payor) pay to (name of recipient) the sum of \$ per month for the support of the child(ren) named above, starting on (date)

Fill in this frame only if there is a claim for add-ons for the child(ren).

THIS COURT FINDS that (name of recipient) has an income of \$ and and IT ORDERS that (name of payor) pay to (name of recipient) the sum of \$ per month for the special or extraordinary expenses (add-ons) of the child(ren) named above, starting on (date)

The details of this amount are as follows:

Name of child	Nature of special or extraordinary expense	Amount

Continued on next sheet. ➡

Form 25D: Order (Uncontested Trial) (page 3)

Court file number

SPOUSAL SUPPORT

- ☐ 5. **THIS COURT ORDERS** that (*name of payor*) pay to (*name of recipient*)
..... ☐ temporary ☐ final
spousal support in the amount of \$ per
starting on (*date*)
- ☐ 6. **THIS COURT ORDERS** that spousal support under this order be indexed and changed annually according to the indexing factor in subsection 34(6) of the *Family Law Act*.

SUPPORT MONEY OWED

- ☐ 7. **THIS COURT FINDS** that the amount of support owed is \$ as of (*date*)
AND THIS COURT ORDERS that (*name of payor*)
pay off this amount ☐ by (*date*)
☐ at the rate of \$ per starting
on (*date*)

SUPPORT — ENFORCEMENT

- ☐ 8. **THIS COURT ORDERS** that, unless the support order is withdrawn from the office of the Director of the Family Responsibility Office, it shall be enforced by the Director and amounts owing under the order shall be paid to the Director, who shall pay them to the person to whom they are owed.
- ☐ 9. **THIS COURT ORDERS** that the clerk issue a support deduction order under section 11 of the *Family Responsibility and Support Arrears Enforcement Act* for the periodic support.

PROPERTY

- ☐ 10. **THIS COURT ORDERS** that

Continued on other side. ➡

Form 25D: Order (Uncontested Trial) (page 4)

Court file number

DISCLOSURE

- ☐ 11. THIS COURT ORDERS that (name)
 serve and file the following before the next court date:
 ☐ a current financial statement.
 ☐ (Other. Specify.)

OTHER MATTERS

- ☐ 12. THIS COURT ORDERS that

COSTS

- ☐ 13. THIS COURT ORDERS that costs be paid by (name)
 to (name) fixed at \$

ADJOURNMENT

- ☐ 14. THIS COURT ORDERS that the matter(s) of

 be adjourned to (date) at (time)
 for: (purpose)

INTEREST

- ☐ 15. THIS COURT ORDERS that interest be payable on amounts owing under this order at the rate of % per year.

Put a line through any blank space left on this page. If additional space is needed, extra pages may be attached.

 Date of signature

 Signature of judge or clerk of the court

Court File Number

*(Name of court)***Form 25E: Notice
Disputing Approval
of Order**at

*Court office address***Applicant(s)***Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).**Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).***Respondent(s)***Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).**Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).***TO:** *(name of parties)*I disagree with the proposed wording of the order in this case for the following reasons: *(Give your reasons.)*

I am asking for a reworded order. A copy of my version of the order is attached.

THE CLERK OF THE COURT WILL SETTLE THE WORDING OF THE ORDER on *(date)*at a.m./p.m., or as soon as possible after that time at *(place for settling order)***IF YOU DO NOT COME, THE CLERK OF THE COURT MAY SIGN THE ORDER WITH WORDING THAT MAY BE DIFFERENT FROM THE VERSION FIRST PROPOSED.**

Signature

Date of signature

Court File Number

(Name of court)

**Form 26: Statement of
Money Owed dated**at _____
Court office address**Recipient(s)**

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Payor

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

My name is (full legal name)

I live in (municipality & province)

and I swear/affirm that the following is true:

- I am ☐ a person entitled to money under an order, a domestic contract or a paternity agreement that is enforceable in this court.
☐ a child's custodian or guardian entitled to money for the child's benefit under an order, domestic contract or paternity agreement that is enforceable in this court.
☐ an assignee of a person or of a child's custodian or guardian entitled to money under an order, domestic contract or paternity agreement that is enforceable in this court.
☐ an agent of the Director of the Family Responsibility Office.
☐ (Other, Specify.)
- I attach a copy of the ☐ court order ☐ domestic contract
☐ paternity agreement ☐ bond/recognizance
and it has not been changed by a court order or agreement of the parties, except (Write "NIL" if there has been no change.)
- The total of the periodic payments that remain unpaid today is \$..... The detailed calculation of this total is attached to this statement. (See reverse side for instructions.)
- The amount of interest on the unpaid periodic payments between the date of each default and today is \$..... The detailed interest calculations are attached to this statement. (See reverse side for instructions.)

Put a line through any blank space left on this page.

Continued on other side. ➡

Form 26: Statement of Money Owed (page 2)

Court file number

INSTRUCTIONS FOR COMPLETING FORM 26 (Statement of Money Owed)

Paragraph 3:

Write "NIL".

(a) if the periodic portion of your order, domestic contract or paternity agreement is fully paid up today; or

(b) if your order, domestic contract or paternity agreement does not require the payor to make periodic payments.

If you are claiming unpaid amounts of periodic payments under a support order, a fine or forfeiture to be paid by instalments, a domestic contract or a paternity agreement, you **MUST** attach one or more separate sheets as an appendix to this *Statement*. There you must set out a history or a diary of the payor's payments and defaults. The diagram to the right shows one way to set out this history or diary. The final total in this diary of payments and defaults must be the same as the dollar amount in paragraph 3.

DATE	AMOUNT DUE (Add to TOTAL)	AMOUNT PAID (Subtract from TOTAL)	TOTAL amount owing
4 Sept. 1998	\$250.00		\$250.00
10 Sept. 1998		\$250.00	\$0.00
18 Sept. 1998	\$250.00		\$250.00
24 Sept. 1998		\$150.00	\$100.00
2 Oct. 1998	\$250.00		\$350.00
12 Oct. 1998		\$125.00	\$225.00
18 Oct. 1998	\$250.00		\$475.00
30 Oct. 1998	\$250.00		\$725.00
30 Oct. 1998	\$250.00		\$975.00

Paragraph 4:

Write "NIL". (a) if you don't want to claim any interest on unpaid periodic payments; or

(b) if your order, domestic contract or paternity agreement actually forbids you to claim interest. (if your order, domestic contract or paternity agreement says nothing about interest, you can still claim it if you want.)

Even though the payor is fully paid up today on periodic payments and even though the dollar amount that you are claiming in paragraph 3 is "NIL", there may be interest owing from the times when the payor was behind in payments. You may therefore wish to make a claim for that unpaid interest here. If you are not barred from claiming interest and wish to do so, you **MUST** attach one or more work sheets as an appendix to this *Statement*. On those work sheets,

(c) you must set out your method of computing interest. Unless the court order, domestic contract or paternity agreement specifically allows you to compound interest, you must use simple interest.

(d) you must indicate the appropriate rate of interest. This rate can sometimes be set out in your order, domestic contract or paternity agreement, but if it is not, then you must rely on the rate allowed by section 127 of the *Courts of Justice Act*. You can also get this information from the court office.(e) for each overdue or partially overdue payment, calculate in dollars and cents the amount of interest allowed by subsection 129(2) of the *Courts of Justice Act*, from the date when it was due until today or until the date of full payment of that overdue amount, whichever date is earlier.

Paragraph 5:

Write "NIL". (a) if the lump sum (whether by way of order, forfeiture, fine or support in a domestic contract or paternity agreement) is fully paid up today; or

(b) if there is no requirement on the payor to pay any lump sum.

If there have been partial payments on the lump sum, you **MUST** attach one or more separate sheets as an appendix to this *Statement*. There, you must set out a history or a diary of the payor's partial payments, similar to the diagram on the right. The final total in this history must be the same as the dollar amount that you are claiming in paragraph 5.

DATE	AMOUNT DUE (Add to TOTAL)	AMOUNT PAID (Subtract from TOTAL)	TOTAL amount owing
1 Dec. 1998	\$24,000.00		\$24,000.00
29 Dec. 1998		\$4,700.00	\$19,300.00
12 Feb. 1999		\$1,800.00	\$17,500.00
6 May 1999		\$1,226.40	\$16,273.60

Paragraph 6:

Write "NIL". (a) if you don't want to claim any interest on the lump-sum amount.

(b) if your order, domestic contract or paternity agreement forbids you to claim interest.

Even though the lump sum has been paid up and even though the dollar amount that you are claiming in paragraph 5 is "NIL", the interest earned on it during a time when payment was overdue may still be owing and you may wish to claim it here. If you are not barred from claiming interest and wish to do so, you **MUST** attach one or more work sheets as an appendix to this *Statement*. On those work sheets,

(c) you must set out your method of computing interest. You must use simple interest unless the court order, domestic contract or paternity agreement specifically allows you to compound interest.

(d) you must indicate the appropriate rate of interest. This rate may sometimes be set out in your order, domestic contract or paternity agreement, but if it is not, then you must rely on the rate allowed by section 127 of the *Courts of Justice Act*. You can also get this information from the court office.

(e) for each partial payment, calculate in dollars and cents the amount of interest from the date of the order, domestic contract or paternity agreement until the date of the partial payment. Interest on any balance still outstanding today will be calculated from the date of the order, contract or agreement until today.

Continued on next sheet ➡

Form 26: Statement of Money Owed (page 4)

Court file number

INSTRUCTIONS FOR COMPLETING FORM 26 (Statement of Money Owed) (Continued)**Paragraph 7:**

Write "NIL", (a) if the court costs are fully paid up today; or
(b) if the court did not award costs to you.

If there have been partial payments on the court costs, you **MUST** attach one or more separate sheets as an appendix to this *Statement*. There, you must set out the history or diary of the payor's partial payments, as illustrated by the diagram alongside the note to paragraph 5. The final total in this diary must be the same as the dollar amount that you are claiming in paragraph 7.

Paragraph 8:

Write "NIL", (a) if you don't want to claim any interest on court costs; or
(b) if your order forbids you to claim any interest on costs.

Even though the court costs may be paid up today and the dollar amount that you are claiming in paragraph 8 is "NIL", the interest earned on those costs during the time when payment on them was overdue may still be owing and you may wish to claim that interest here. If you are claiming interest on court costs, you **MUST** attach one or more work sheets as an appendix to this *Statement*. On those work sheets,

- (c) you must set out your method of computing interest. You must use simple accrual unless the court has specifically allowed you to compound your interest.
- (d) you must indicate the appropriate rate of interest prevailing on the date when the order was made or the rate allowed by the court when it made the order. You can get this information from the court office.
- (e) for each partial payment, you must calculate in dollars and cents the amount of interest from the date of the order until the date of the partial payment. Interest on any balance still outstanding today will run from the date of the order until today.

Paragraph 9:

Write "NIL" if your lump-sum claim has nothing to do with support or maintenance. Otherwise, figure out what portion of your lump-sum claim deals with support or maintenance. You are entitled to include the interest earned on that amount.

This figure will be needed by the clerk of the court and by others, such as the sheriff, because they are required by law to give your claim for lump-sum support priority over the claims of other people with orders against the payor under the *Creditors' Relief Act*. Section 4 of that Act states:

- 4. **Priority for support orders**—(1) A support or maintenance order has priority over other judgment debts regardless of when an enforcement process is issued or served,
 - (a) if the order is for periodic payments, in the amount of the arrears owing under the order at the time of seizure or attachment; and
 - (b) if the order is for a lump sum payment, in the amount of the lump sum.
- (2) **Support orders rank equally**.— Support or maintenance orders rank equally with one another.
- (3) **Enforcement process**.— Process for the enforcement of a support or maintenance order shall be identified on its face as being for support or maintenance.
- (4) **Crown bound**.— Subsection (1) binds the Crown in right of Ontario.

Paragraph 10:

Write "NIL" if your claim has nothing to do with periodic support or maintenance. Otherwise, figure out what portion of your claim deals with periodic support or maintenance. You are entitled to include the interest earned on that amount.

This figure together with the one in paragraph 9 will be needed by the clerk of the court and by others, such as the sheriff, to determine the priority that your support arrears should have over the claims of other people with orders against the payor. See subsection 4(1) of the *Creditors' Relief Act*.

Continued on next sheet. ➡

Form 28: Statement of Money Owed: APPENDIX (page)
(A, B, C, etc.) (page number)

Court file number

[illegible]

Court file number

421

Form 26: Statement of Money Owed: APPENDIX (page)
(A, B, C, etc.) (page number) Court file number

CALCULATION OF INTEREST

1. The calculations below relate to interest earned on *(State nature of order, judgment or contract)*
2. The calculations below use:
 - ☐ simple interest;
 - ☐ compound interest, compounded *(State frequency of compounding)*
 - ☐ *(Other. Specify.)*
3. The rate of interest permitted by law is % per *(frequency)*
4. The calculation of the Interest is detailed as follows:

Court File Number

(Name of court)

**Form 26A: Affidavit of
Enforcement Expenses**at _____
Court office address

dated

Recipient(s)Full legal name & address for service — street & number, municipality,
postal code, telephone & fax and e-mail address (if any).Lawyer's name & address — street & number, municipality, postal code,
telephone & fax numbers and e-mail address (if any).**Payor**Full legal name & address for service — street & number, municipality,
postal code, telephone & fax numbers and e-mail address (if any).Lawyer's name & address — street & number, municipality, postal code,
telephone & fax numbers and e-mail address (if any).

My name is (full legal name)

I live in (municipality & province)

and I swear/affirm that the following is true:

1. I am ☐ a person entitled to money under an order, a domestic contract or a paternity agreement that is enforceable in this court.
- Attach copy of order, contract or agreement.* ☐ child's custodian or guardian entitled to money for the child's benefit under an order, domestic contract or paternity agreement that is enforceable in this court.
- ☐ an assignee of a person or of a child's custodian or guardian entitled to money under an order, domestic contract or paternity agreement that is enforceable in this court.
- ☐ an agent of the Director of the Family Responsibility Office.
- ☐ (Other. Specify.)

2. To enforce the order, domestic contract or paternity agreement, I took the following steps for which I am claiming costs under the rules of the court:

- ☐ A financial examination of the payor was carried out.
- ☐ A writ of seizure and sale was issued, filed and enforced.
- ☐ A notice of garnishment was issued, served, filed and enforced.
- ☐ A writ of seizure and sale was changed by way of a statutory declaration.
- ☐ A notice of garnishment was changed by way of a statutory declaration.
- ☐ (Other. Specify.)

Put a line through any blank space left on this page.

Continued on other side. ➡

Form 26A: Affidavit of Enforcement Expenses (page 2)

Court file number

3. The details of my claim are as follows: *(For each item of expense, give the date when it was paid and the amount. Where receipts are available, please attach them and identify them in numbered sequence.)*

ITEM OF EXPENSE	DATE	AMOUNT	Receipt No.
			1
			2
			3
			4
			5
			6
			7
			8
			9
			10
			11
			12
			13
			14
			15
			16
			17
			18
			19
			20
			21
			22
			23

If you need more space, you may attach extra sheets and number them.

Sworn/Affirmed before me at
in
on
.....

Commissioner for taking affidavits
(Type or print name below if signature is illegible.)

Signature

(This form is to be signed in front of a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

Court File Number

(Name of court)

Form 26B: Affidavit

at _____
Court office address

dated
for Filing Domestic
Contract or Paternity
Agreement with Court

Recipient(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Payor

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

My name is (full legal name)

I live in (municipality & province)

and I swear/affirm that the following is true:

1. I attach a copy of a ☐ marriage contract ☐ cohabitation agreement
 ☐ separation agreement ☐ paternity agreement
for filing with the court so that its support provisions can be enforced or changed as if they were a court order.
2. The contract/agreement has not been set aside or disregarded by a court nor has it been changed by agreement of the parties.

Sworn/Affirmed before me at municipality	
In province, state or country	
on date	
Commissioner for taking affidavits (Type or print name below if signature is illegible.)	
Signature (This form is to be signed in front of a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)	

Court File Number

(Name of court)

**Form 26C: Notice of
Transfer of Enforcement**at _____
Court office address**Recipient(s)**

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Payor

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

**TO THE PARTIES IN THIS ENFORCEMENT,
TO THE CLERK OF THE COURT at** (list court locations out of which enforcement was carried out)

AND TO THE SHERIFF FOR (list areas where sheriff has been involved with enforcement)

- ☐ I am the recipient named above. The attached
☐ order ☐ domestic contract ☐ paternity agreement
 has been withdrawn from the enforcement program run by the Director of the Family Responsibility Office. At my request, the Director assigned to me the enforcement measure(s) listed on the back of this sheet that were started by the Director.
- ☐ My name is (full legal name)
 I am an authorized agent of the Director of the Family Responsibility Office. The recipient(s) (name of recipient(s))
 filed the attached ☐ order ☐ domestic contract ☐ paternity agreement
 in the Director's office to be enforced. At my request, the recipient(s) assigned to the Director the enforcement measure(s) listed on the back of this sheet that were started by the recipient(s).

Signature_____
Date of signature

Continued on other side. ➡

Form 26C: Notice of Transfer of Enforcement (page 2)

Court file number

ENFORCEMENT MEASURES BEING TRANSFERRED		
NAME OF ENFORCEMENT MEASURE	WHERE STARTED	WHEN STARTED

If you need more space, you may attach extra sheets and number them.

Court File Number

(Name of court)

**Form 27: Request for
Financial Statement**

at

Court office address

Recipient(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Payor

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

TO (name of party)

I claim that you have missed payments under an order, domestic contract or paternity agreement, a copy of which is attached to this notice.

YOU MUST PREPARE A FINANCIAL STATEMENT (Form 13) within 15 days of being served with this notice. A blank form of financial statement should accompany or be attached to this notice. If it is missing, you should contact your own lawyer or the court office immediately.

YOU MUST MAIL your completed financial statement within the next 15 days to: (person & address)

IF YOU DO NOT MAIL THE COMPLETED FINANCIAL STATEMENT AS REQUIRED BY THIS NOTICE, THE COURT MAY ORDER YOU TO DO SO AND YOU MAY THEN BE REQUIRED TO PAY THE COSTS. IF YOU DISOBEY THE ORDER, THE COURT MAY MAKE AN ORDER FOR YOUR IMPRISONMENT.

Signature

Date of signature

Court File Number

(Name of court)

Form 27A: Request for
Statement of Income

at _____
Court office address

Recipient(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Payor

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

TO (name and address of income source)

I claim that the payor has missed payments under an order, domestic contract or paternity agreement.

YOU MUST PREPARE A STATEMENT OF INCOME in Form 27B concerning the payor named above. A blank form of statement of income should accompany or be attached to this notice. If it is missing, you should contact your own lawyer or the court office immediately.

YOU MUST MAIL the completed statement of income within 10 days of being served with this notice to: (person & address)

IF YOU DO NOT MAIL THE COMPLETED STATEMENT OF INCOME AS REQUIRED BY THIS NOTICE, THE COURT MAY ORDER YOU TO DO SO AND YOU MAY THEN BE REQUIRED TO PAY THE COURT COSTS.

Signature

Date of signature

Court File Number

(Name of court)

**Form 27B: Statement of
Income from Income
Source**at _____
Court office address**Recipient(s)**

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Payor

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

1. My name is (full legal name)

2. ☐ I am ☐ an income source of the payor.
☐ an employee of an income source of the payor.
☐ (Other, specify)

OR

- ☐ Neither I nor the organization for which I work is an income source of the payor for the following reasons:
- ☐ there is no money owed to the payor on any basis mentioned in paragraph 3 below.
 - ☐ the payor has never worked for me or my organization.
 - ☐ the payor has worked for me or my organization but stopped working on : (date)
- ☐ (Other, specify.)

(Strike out paragraph 3 if you are not an income source.)

3. I owe money to the payor on the following basis: (check one or more boxes below)

- ☐ wages or salary of \$..... per
- ☐ overtime that, over the past 6 months, has amounted to \$.....
- ☐ commission, bonus, piece-work allowance or other performance-related payment that, over the past 6 months, has amounted to \$.....
- ☐ benefits under an accident, disability or sickness plan that, over the past 6 months, has amounted to \$....
- ☐ a disability, retirement or other pension of \$..... per
- ☐ an annuity paying \$..... per
- ☐ vacation pay/severance pay of \$.....
- ☐ (Other, specify.)

Signature_____
Date of signature

Court File Number

(Name of court)

**Form 27C: Appointment
for Financial Examination**

at

Court office address

Recipient(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Payor

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

TO (full legal name of person to be examined)

I claim that you have missed payments under an order, domestic contract or paternity agreement, a copy of which is attached. The purpose of this examination is to find out,

- (a) your ability to pay the amount of the money owing; and
- (b) your ability to continue obeying the order, domestic contract or paternity agreement.

YOU MUST PREPARE a financial statement in Form 13 and serve it on the recipient or on the recipient's lawyer at least 7 days before the date of the examination. A blank form of financial statement should accompany or be attached to this notice. If it is missing, you should talk to your own lawyer or the court office immediately.

YOU MUST THEN COME TO A FINANCIAL EXAMINATION to be held on (date)
at a.m./p.m. at (place of examination):

You can bring your own lawyer.

YOU MUST BRING WITH YOU TO THE FINANCIAL EXAMINATION the documents or things in your possession or control that are listed on the back of this sheet.

IF YOU DO NOT COME TO THE FINANCIAL EXAMINATION, THE COURT MAY MAKE AN ORDER WITHOUT YOU AND ENFORCE IT AGAINST YOU.

Signature

Date of signature

Continued on other side. ➡

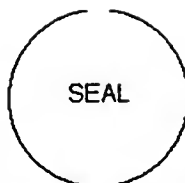
Form 27C: Appointment for Financial Examination (page 2)

Court file number

(Set out the nature and the date of every document and give enough details to identify every document and thing that the payor is to bring to the examination. Write "NIL" if no document or thing is to be brought to the examination.)

- ☐ A copy of the income tax return that you filed with the Department of National Revenue (together with all material filed with the return) for the years end a copy of any notice of assessment or reassessment that you received from the Department for those years.
- ☐ Proof of your income (including pay stubs) for the past month(s).
- ☐ A print-out from every bank, trust company, loan corporation, credit union, *caisse populaire* or Province of Ontario Savings Office in which you have maintained an account for the past month(s) showing all the transactions carried out in that account during that period of time.

Put a line through any blank space left on this page.



SEAL

(Name of court)

Court File Number

at _____
Court office addressForm 28: Writ of
Seizure and Sale

Recipient(s)

Full legal name & address for service — street and number, municipality,
postal code, telephone & fax numbers and e-mail address (if any).Lawyer's name & address — street and number, municipality, postal
code, telephone & fax numbers and e-mail address (if any).

Payor

Full legal name & address for service — street and number, municipality,
postal code, telephone & fax numbers and e-mail address (if any).Lawyer's name & address — street and number, municipality, postal
code, telephone & fax numbers and e-mail address (if any).

TO THE SHERIFF FOR THE (name of area)

An order, domestic contract or paternity agreement that is enforceable in this court and that requires the payor to make payments to the recipient is in default.

YOU ARE THEREFORE DIRECTED TO SEIZE AND TO SELL the personal and real property within your area of (payor's full legal name) and to realize from that sale the following sums:

Insert amount to be realized from paragraph 4(b) of the request for a writ of seizure and sale. Insert date that statement of money owed was sworn/affirmed. (a) \$. and interest on it at the rate of % per year, beginning on (date) ; and

(b) your fees and expenses in enforcing this writ.

Check appropriate box

Priority for support payments:
Insert amount from paragraph 3 of request for a writ of seizure and sale.

Assignment of costs to the Law Society of Upper Canada: Insert amount from paragraph 4(c) of request for writ of seizure and sale.

Fine, bond or recognizance.

☐ The sum to be realized includes unpaid support of \$.
YOU ARE THEREFORE REQUIRED, under subsection 4(1) of the *Creditors' Relief Act*, to give priority to this amount over all other judgments and orders.

☐ An *Assignment of Judgment of Costs* in the amount of \$. has been made in favour of the Law Society of Upper Canada.

YOU ARE THEREFORE REQUIRED, under subsection 17(2) of the *Legal Aid Act*, to deduct this sum from the proceeds of the sale and to pay it to the Law Society of Upper Canada.

☐ This Writ enforces the sum of \$. as

☐ a fine for contempt of this court,

☐ a forfeited bond or a forfeited recognizance

and made payable to, ☐ Her Majesty the Queen

☐ (Other, specify.)

YOU ARE THEREFORE REQUIRED, under subsection 143(3) of the *Courts of Justice Act*, to proceed immediately to execute this Writ without a direction to enforce.

YOU ARE FURTHER DIRECTED TO PAY OUT THESE PROCEEDS ACCORDING TO LAW AND TO REPORT ON THE EXECUTION OF THIS WRIT IF REQUIRED BY THE PARTY OR BY THE PARTY'S LAWYER WHO FILED THIS WRIT.

Signature of the clerk of the court_____
Date of signature

Court File Number

.....

(Name of court)

Court office address

at _____

Form 28A: Request for
Writ of Seizure and Sale

Recipient(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Payor

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

TO THE CLERK OF THE COURT:

1. I am ☐ the person who signed the attached statement of money owed.
 ☐ the lawyer for the person who signed the attached statement of money owed.
 ☐ (Other, specify.)
2. The attached statement of money owed contains a claim for \$ (Insert the sum from paragraph 13 of the statement of money owed.)
3. This claim includes unpaid support of \$, an amount that has priority over all other judgment debts of the payor's creditors.
4. I request that a writ of seizure and sale be issued, directed to the sheriff of each of the following areas: (list the areas)
- (a) to seize and sell the payor's real and personal property within that area;

(b) to realize from that seizure and sale ☐ the sum set out in paragraph 2 above;
 ☐ the sum of \$ (Here set out a sum less than that in paragraph 2 above if you do not want to have all of it enforced by seizure and sale.); and

(c) to pay out the proceeds according to law, including payment of \$ (write "NIL" if no assignment was made) to the Law Society of Upper Canada in accordance with the attached Assignment of Judgment of Costs in favour of the Law Society.

Signature

Date of signature

NOTE: You must file this request and a freshly prepared statement of money owed in Form 26 with the clerk of the court. If you completed paragraph 4(c) of this request with a dollar amount, a copy of the assignment of costs must be attached to this request and to each writ of seizure and sale that you file with a sheriff and a land registrar.

Court File Number

(Name of court)

Form 28B: Statutory
Declaration to Sheriff
dated

at _____
Court office address

Recipient(s)

Full legal name & address for service — street & number, municipality,
postal code, telephone & fax and e-mail address (if any).

Lawyer's name & address — street & number, municipality, postal code,
telephone & fax numbers and e-mail address (if any).

Payor

Full legal name & address for service — street & number, municipality,
postal code, telephone & fax numbers and e-mail address (if any).

Lawyer's name & address — street & number, municipality, postal code,
telephone & fax numbers and e-mail address (if any).

My name is (full legal name)

I live in (municipality & province)

and I declare that the following is true:

1. I am ☐ a recipient under a payment order.
☐ an assignee of a recipient under a payment order.
☐ an agent of the Director of the Family Responsibility Office.
☐ (Other. Specify.)
2. On (date) _____, a writ of seizure and sale was issued in this case, a copy of which is attached.
3. Since then, the amount owed by the payor has changed and, as of today, the amount owed stands at \$ _____ with interest on it at the rate of _____ % per year beginning on (date when interest begins)
4. The amount in paragraph 3 includes unpaid support of \$ _____ which, under subsection 4(1) of the *Creditors' Relief Act*, gets priority over other judgments and orders.
5. An additional Assignment of Judgment of Costs in the amount of (write NIL if none) \$ _____ has been made in favour of the Law Society of Upper Canada which, under subsection 17(2) of the *Legal Aid Act*, must be deducted from the proceeds of the sale and paid to the Law Society of Upper Canada.
6. The amount in paragraph 3 includes \$ _____ as a fine for contempt of this court, a forfeited bond or a forfeited recognizance arising out of a civil proceeding and made payable to,
☐ Her Majesty the Queen ☐ (Other. Specify.)

and, under subsection 143(3) of the *Courts of Justice Act*, the writ of seizure and sale can be executed immediately to collect that amount without a direction to enforce.

Declared before me at _____
municipality

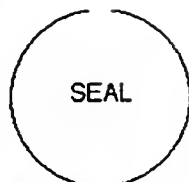
in _____
province, state or country

on _____
date

Commissioner for taking affidavits
(Type or print name below if signature is illegible.)

Signature

(This form is to be signed in front of a
lawyer, justice of the peace, notary public
or commissioner for taking affidavits.)



(Name of court)

Court File Number

at _____
Court office address

**Form 28C: Writ of
Temporary Seizure**

Applicant(s)/Recipient(s) *(Strike out inapplicable term.)*

<p><i>Full legal name & address for service — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>	<p><i>Lawyer's name & address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>
--	--

Respondent/Payor *(Strike out inapplicable term.)*

<p><i>Full legal name & address for service — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>	<p><i>Lawyer's name & address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>
--	--

TO THE SHERIFF FOR THE *(name of area)*

On a motion made by *(name of moving party)*

the court gave its permission on *(date)* **to issue this writ.**

YOU ARE THEREFORE DIRECTED TO SEIZE AND TO HOLD the following property within your area of *(full legal name of respondent/payor)*

*Give description of
property to be taken
and held.*

YOU ARE ALSO DIRECTED TO COLLECT AND TO HOLD any income from the property.

Signature of the clerk of the court

Date of signature

Court File Number

(Name of court)

**Form 29: Request for
Garnishment**at _____
Court office address**Recipient(s)**

<i>Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).</i>	<i>Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i>

Payor

<i>Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i>	<i>Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i>

TO THE CLERK OF THE COURT:

1. I am ☐ the person who signed the attached statement of money owed.
☐ the lawyer for the person who signed the attached statement of money owed.
☐ an agent for the Director of the Family Responsibility Office.
☐ (Other, specify.)
2. I want to enforce by way of garnishment the sum of \$, which is the money claimed in the attached statement of money owed. (If you want to collect ongoing periodic payments as well as arrears, check the box below.)
☐ I also want the garnishment to collect ongoing payments of \$ per (period)
3. I request that a separate notice of garnishment be issued and sent to each person named in the Appendix to this form, who, I have reason to believe, owes or will owe money to the payor in the amounts described in that Appendix.

Signature of person making request or of person's lawyer_____
Date of signature

NOTE: You must attach one or more sheets as an Appendix in which you name the person or persons who owe or will owe money to the payor. You must also prepare and attach a fresh statement of money owed in Form 26 (one prepared within the past 30 days) to this request and file it with the clerk of the court.

If (a) the payor's obligation to pay the order, domestic contract or paternity agreement that you are enforcing by this garnishment should expire or be discharged, and

(b) there is no more money owed by the payor under that order, domestic contract or paternity agreement, or if you simply decide that you no longer want to enforce the order, domestic contract or paternity agreement by means of this garnishment, you must immediately fill out and serve a notice to stop garnishment in Form 29H on the payor and on each garnishee and file it, together with proof of service, with the clerk of the court at the above court office.

Continued on other side. ➡

Form 29: Request for Garnishment — APPENDIX (page)

Court file number

Name of Garnishee:

Garnishee's address:

Amount that the garnishee owes or will owe to the payor:

- ☐ periodic amounts ☐ of \$
 ☐ whose dollar figure I do not know

that are or will be paid on (State frequency of payments. Write "UNKNOWN" if you do not know.)

- ☐ lump-sum amount ☐ of \$
 ☐ whose dollar figure I do not know.

Description of debt owed by the garnishee to the payor:

- ☐ wages, commissions or other employment income.
☐ money held at a bank, credit union, etc.
☐ (Other. Specify.)

- ☐ rental payments
☐ pension payments

Name of Garnishee:

Garnishee's address:

Amount that the garnishee owes or will owe to the payor:

- ☐ periodic amounts ☐ of \$
 ☐ whose dollar figure I do not know

that are or will be paid on (State frequency of payments. Write "UNKNOWN" if you do not know.)

- ☐ lump-sum amount ☐ of \$
 ☐ whose dollar figure I do not know.

Description of debt owed by the garnishee to the payor:

- ☐ wages, commissions or other employment income.
☐ money held at a bank, credit union, etc.
☐ (Other. Specify.)

- ☐ rental payments
☐ pension payments

Name of Garnishee:

Garnishee's address:

Amount that the garnishee owes or will owe to the payor:

- ☐ periodic amounts ☐ of \$
 ☐ whose dollar figure I do not know

that are or will be paid on (State frequency of payments. Write "UNKNOWN" if you do not know.)

- ☐ lump-sum amount ☐ of \$
 ☐ whose dollar figure I do not know.

Description of debt owed by the garnishee to the payor:

- ☐ wages, commissions or other employment income.
☐ money held at a bank, credit union, etc.
☐ (Other. Specify.)

- ☐ rental payments
☐ pension payments

Form 29: Request for Garnishment — APPENDIX (page)

Court file number

Name of Garnishee:

Garnishee's address:

Amount that the garnishee owes or will owe to the payor:

☐ periodic amounts ☐ of \$
☐ whose dollar figure I do not know

that are or will be paid on (State frequency of payments. Write "UNKNOWN" if you do not know.)

☐ lump-sum amount ☐ of \$
☐ whose dollar figure I do not know.

Description of debt owed by the garnishee to the payor:

☐ wages, commissions or other employment income.
☐ money held at a bank, credit union, etc.
☐ (Other. Specify.)

☐ rental payments
☐ pension payments

Name of Garnishee:

Garnishee's address:

Amount that the garnishee owes or will owe to the payor.

☐ periodic amounts ☐ of \$
 ☐ whose dollar figure I do not know

that are or will be paid on (State frequency of payments. Write "UNKNOWN" if you do not know.)

☐ lump-sum amount ☐ of \$.
 ☐ whose dollar figure I do not know.

Description of debt owed by the garnishee to the payor.

<input type="checkbox"/> wages, commissions or other employment income.	<input type="checkbox"/> rental payments
<input type="checkbox"/> money held at a bank, credit union, etc.	<input type="checkbox"/> pension payments
<input type="checkbox"/> (Other. Specify.)	

Name of Garnishee:

Garnishee's address:

Amount that the garnishee owes or will owe to the payor:

☐ periodic amounts ☐ of \$
☐ whose dollar figure I do not know

that are or will be paid on (State frequency of payments. Write "UNKNOWN" if you do not know.)

☐ lump-sum amount ☐ of \$.
☐ whose dollar figure I do not know.

Description of debt owed by the garnishee to the payor:

☐ wages, commissions or other employment income. ☐ rental payments
☐ money held at a bank, credit union, etc. ☐ pension payments
☐ (Other. Specify.)

Court file number

Name of Garnishee:

Garnishee's address:

Amount that the garnishee owes or will owe to the payor:

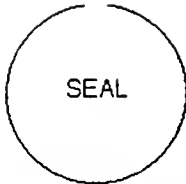
☐ periodic amounts ☐ of \$
☐ whose dollar figure I do not know

that are or will be paid on (State frequency of payments. Write "UNKNOWN" if you do not know.)

☐ lump-sum amount ☐ of \$
☐ whose dollar figure I do not know.

Description of debt owed by the garnishee to the payor:

☐ wages, commissions or other employment income. ☐ rental payments
☐ money held at a bank, credit union, etc. ☐ pension payments
☐ (Other. Specify.)



(Name of court)

Court File Number

at _____
Court office address

**Form 29A: Notice of
Garnishment
(Lump-Sum Debt)**

Recipient

Payor

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).	Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).
Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

TO: (garnishee's full legal name and address)

ALL DEDUCTIONS MADE UNDER THIS NOTICE MUST TO BE PAID TO

☐ the clerk of the court ☐ the Director of the Family Responsibility Office
at (address)

The payor (name) has missed payments under a court order, a domestic contract or a paternity agreement that is enforceable in this court or that is enforceable by a garnishment process from outside Ontario and recognized by this court.

The recipient claims that you owe or will owe the payor a debt in the form of one or more lump-sum amounts.. (A debt to the payor includes both a debt payable to the payor alone and a joint debt payable to the payor and one or more other persons.)

YOU MUST THEREFORE PAY TO the clerk of the court or the Director of the Family Responsibility Office (as indicated above)

- (a) within 10 days after service of this Notice upon you, ALL MONEY THAT IS NOW PAYABLE BY YOU TO THE PAYOR; and
- (b) within 10 days after any future amount becomes payable, ALL MONEY THAT BECOMES PAYABLE BY YOU TO THE PAYOR.

The total amount of your payments is not to exceed \$ (Insert the dollar amount by adding the sums in paragraphs 5, 6, 7 and 8 of the statement of money owed or such lesser amount as the recipient chooses to have enforced by way of garnishment.)

If your debt is jointly owed to the payor and to one or more other persons, you must pay half of the amount now payable or that becomes payable or such fraction as the court may order.

This notice is legally binding on you until it is changed or terminated.

(Check box below if appropriate.)

- ☐ This notice of garnishment enforces the support provisions of a court order, domestic contract or paternity agreement. Under subsection 4(1) of the *Creditors' Relief Act*, **YOU MUST GIVE THIS NOTICE OF GARNISHMENT PRIORITY OVER ALL OTHER NOTICES OF GARNISHMENT**, no matter when these other competing notices of garnishment were served on you. For details of the extent of this priority, you should talk to your own lawyer.

Your payment in accordance with this notice is, to the extent of the payment, a valid discharge of your debt to the payor and, in the case of a joint debt to the payor and one or more other persons, a valid discharge of your debt to the payor and the other person(s).

Continued on other side. ➡

Form 29A: Notice of Garnishment (Lump-Sum Debt) (page 2)

Court file number

If your debt is jointly owed to the payor and to one or more other persons, **YOU MUST IMMEDIATELY MAIL** a notice to co-owner of the debt (Form 29C) to the following persons:

- (a) each other person to whom the joint debt is owed, at the address shown in your own records;
- (b) the recipient or the Director of the Family Responsibility Office, depending on who is enforcing the order; and
- (c) the clerk of the court.

A blank Form 29C should be attached to this notice. If it is missing, you should talk to your own lawyer or the court office.

If you have reason to believe that you should not to be making the payments required of you by this notice, you have the right to serve a dispute in Form 29F on the parties and file it at the court office within 10 days after service of this notice upon you. You may consult with your lawyer about this. A blank Form 29F (*Dispute from Garnishee*) should be attached to this notice. If it is missing, you should talk to your own lawyer or the court office. You can serve by any method set out in rule 6 of the *Family Law Rules*, including mail, courier and fax. If you serve Form 29F and file it at the court office, the court may hold a garnishment hearing to determine the rights of the parties. In the meantime, serving and filing a dispute does not stop the operation of this notice of garnishment.

If you are the payor's employer,

- (a) Section 56.1 of Ontario's *Employment Standards Act* make it unlawful to dismiss or suspend an employee or to threaten to do so on the ground that a garnishment process has been issued in respect of the employee;
- (b) section 7 of Ontario's *Wages Act* says that you cannot deduct more than:
 - (i) 50% of any wages (after statutory deductions) payable to your employee for the enforcement of support; and
 - (ii) 20% of any wages (after statutory deductions) payable to your employee for the enforcement of money not connected to support.

These percentages can be increased or decreased only by an order of the court. If a copy of such an order is attached to this notice or if it is ever served on you, you must use the percentage given in that court order; and

- (c) the *Family Law Rules* state that you **MUST** give to the clerk of the court and to the person who asked for this garnishment, within 10 days after the end of the payor's employment with you, a written notice,
 - (i) indicating that the payor has ceased to be employed by you, and
 - (ii) setting out the date on which the employment ended and the date of the payor's last remuneration from you.

IF YOU DO NOT OBEY THIS NOTICE, THE COURT MAY ORDER YOU TO PAY THE FULL AMOUNT OWED AND THE COSTS INCURRED BY THE RECIPIENT.

IF YOU PAY ANYONE OTHER THAN AS DIRECTED ON THE FRONT OF THIS SHEET, THE COURT MAY ORDER YOU TO MAKE ANOTHER PAYMENT, BUT THIS TIME, TO THE PERSON NAMED IN THIS NOTICE.

Signature of the clerk of the court

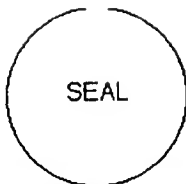
Date of signature

NOTICE TO THE PAYOR: You have the right to serve and file a dispute in Form 29E at the court office within 10 days after service of this notice on you. You may want to talk to a lawyer about this. A blank Form 29E (*Dispute from Payor*) should have accompanied this notice when it was served on you. If it is missing, you should talk to your own lawyer or the court office immediately. You can serve by any method set out in rule 6 of the *Family Law Rules*, including mail, courier and fax. If you serve Form 29E and file it at the court office, the court may hold a garnishment hearing to decide the rights of the parties.

If the garnishee is your employer, the *Family Law Rules* say that you **MUST**, within 10 days after the end of your employment with the garnishee, give the clerk of the court and (depending on who is enforcing the garnishment) the recipient or the Director of the Family Responsibility Office, a written notice,

- (a) indicating that your employment with the garnishee is ended; and
- (b) setting out the date on which your employment ended and the date of your last pay from the garnishee.

Within 10 days after you start any new job or go back to your old one, you **MUST** give a further written notice giving the name and address of your new employer or saying that you have gone back to work with of your former employment.



(Name of court)

Court File Number

at

Court office address

Form 29B: Notice of
Garnishment
(Periodic Debt)

Recipient

Payor

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).	Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).
Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

TO: (garnishee's full legal name and address)

ALL DEDUCTIONS MADE UNDER THIS NOTICE MUST TO BE PAID TO

☐ the clerk of the court ☐ the Director of the Family Responsibility Office
at (address)

The payor (name) has missed payments under a court order, domestic contract or paternity agreement that is enforceable in this court or that is enforceable by a garnishment process from outside Ontario and recognized by this court. The recipient claims that you owe or will owe the payor a debt in the form of wages, salary, pension payments, rent, annuity or other debt that you pay out periodically or by instalments. (A debt to the payor includes both a debt payable to the payor alone and a debt payable jointly to the payor and one or more other persons.)

Check the first circle if you want the garnishment to deduct fixed dollar amounts. If you want the garnishment to deduct by way of percentage, check the second circle below.

Insert the dollar amount and frequency as stated in the periodic portion of the order, domestic contract or paternity agreement.

"Accumulated debts" includes lump-sum orders, fines, forfeitures, accumulated arrears of periodic payments, court costs and interest.

Check this circle only if you want the garnishment to deduct by way of percentage.

Unless a court order says otherwise, you can deduct no more than 50% of the payor's wages to collect support and no more than 20% to collect money unrelated to support. There is no percentage ceiling on the deductions from non-wages.

☐ YOU MUST IMMEDIATELY THEREFORE DEDUCT FROM ALL SUCH PAYMENTS MADE BY YOU,

- ☐ to satisfy the payor's ongoing duty to make periodic payments under the order, domestic contract or paternity agreement THE SUM OF \$ on every (state frequency) or the equivalent sum according to your regular or established cycle of payment to the payor; and
- ☐ to reduce the payor's accumulated debts of \$ to the recipient under the order, domestic contract or paternity agreement, THE SUM OF \$ on every (state frequency) or the equivalent sum according to your regular or established cycle of payment to the payor, OR

☐ YOU MUST IMMEDIATELY THEREFORE DEDUCT FROM ALL SUCH PAYMENTS MADE BY YOU,

- ☐ % of all wages that are now payable by you to the payor; and
- ☐ % of any debt (other than wages) now payable by you to the payor periodically or by instalments

AND YOU MUST PAY THIS DEDUCTION to clerk or the Director (as indicated above) within 10 days after service of this notice upon you. If your debt is jointly owed to the payor and to one or more other persons, you must pay half of the amount now payable or that becomes payable or such fraction as the court may order.

THIS NOTICE LEGALLY BINDS YOU TO CONTINUE PAYING THESE DEDUCTIONS within 10 days after each payment becomes payable by you to the payor, until this notice is changed or terminated.

Continued on other side. ➡

Form 29B: Notice of Garnishment (Periodic Debt) (page 2)

Court file number

(Check box below if appropriate.)

- ☐ This notice of garnishment enforces the support provisions of a court order, domestic contract or paternity agreement. Under subsection 4(1) of the *Creditors' Relief Act*, **YOU MUST GIVE THIS NOTICE OF GARNISHMENT PRIORITY OVER ALL OTHER NOTICES OF GARNISHMENT**, no matter when these other competing notices of garnishment were served on you. For details of the extent of this priority, you should talk to your own lawyer.

Your payment in accordance with this *Notice* is, to the extent of the payment, a valid discharge of your debt to the payor and, in the case of a joint debt to the payor and one or more other persons, a valid discharge of your debt to the payor and the other person(s).

If your debt is jointly owed to the payor and to one or more other persons, **YOU MUST IMMEDIATELY MAIL** a notice to co-owner of the debt (Form 29C) to the following persons:

- (a) each other person to whom the joint debt is owed, at the address shown in your own records;
- (b) the recipient or the Director of the Family Responsibility Office, depending on who is enforcing the order; and
- (c) the clerk of the court.

A blank Form 29C should be attached to this notice. If it is missing, you should talk to your own lawyer or the court office.

If you have reason to believe that you should not to be making the payments required of you by this notice, you have the right to serve and file a dispute in Form 29F at the court office within 10 days after service of this notice upon you. You may consult with your lawyer about this. A blank Form 29F (*Dispute from Garnishee*) should be attached to this notice. If it is missing, you should talk to your own lawyer or the court office. You can serve by any method set out in rule 6 of the *Family Law Rules*, including mail, courier and fax. If you serve Form 29F and file it at the court office, the court may hold a garnishment hearing to determine the rights of the parties. In the meantime, serving and filing a dispute does not stop the operation of this notice of garnishment.

If you are the payor's employer,

- (a) Section 56.1 of Ontario's *Employment Standards Act* make it unlawful to dismiss or suspend an employee or to threaten to do so on the ground that a garnishment process has been issued in respect of the employee;
- (b) section 7 of Ontario's *Wages Act* says that you cannot deduct more than:
 - (i) 50% of any wages (after statutory deductions) payable to your employee for the enforcement of support; and
 - (ii) 20% of any wages (after statutory deductions) payable to your employee for the enforcement of money not connected to support.

These percentages can be increased or decreased only by an order of the court. If a copy of such an order is attached to this *Notice* or if it is ever served on you, you must use the percentage given in that court order; and

- (c) the *Family Law Rules* state that you **MUST** give to the clerk of the court and to the person who asked for this garnishment, within 10 days after the end of the payor's employment with you, a written notice,
 - (i) Indicating that the payor has ceased to be employed by you, and
 - (ii) setting out the date on which the employment ended and the date of the payor's last remuneration from you.

IF YOU DO NOT OBEY THIS NOTICE, THE COURT MAY ORDER YOU TO PAY THE FULL AMOUNT OWED AND THE COSTS INCURRED BY THE RECIPIENT.

IF YOU PAY ANYONE OTHER THAN AS DIRECTED ON THE FRONT OF THIS SHEET, THE COURT MAY ORDER YOU TO MAKE ANOTHER PAYMENT, BUT THIS TIME, TO THE PERSON NAMED IN THIS NOTICE.

Signature of the clerk of the court_____
Date of signature

NOTICE TO THE PAYOR: You have the right to serve and file a dispute in Form 29E at the court office within 10 days after service of this notice on you. You may want to talk to a lawyer about this. A blank Form 29E (*Dispute from Payor*) should have accompanied this notice when it was served on you. If it is missing, you should talk to your own lawyer or the court office immediately. You can serve by any method set out in rule 6 of the *Family Law Rules*, including mail, courier and fax. If you serve Form 29E and file it at the court office, the court may hold a garnishment hearing to decide the rights of the parties.

If the garnishee is your employer, the *Family Law Rules* say that you **MUST**, within 10 days after the end of your employment with the garnishee, give the clerk of the court and (depending on who is enforcing the garnishment) the recipient or the Director of the Family Responsibility Office, a written notice,

- (a) Indicating that your employment with the garnishee is ended; and
- (b) setting out the date on which your employment ended and the date of your last pay from the garnishee.

Within 10 days after you start any new job or go back to your old one, you **MUST** give a further written notice giving the name and address of your new employer or saying that you have gone back to work with your former employer.

Court File Number

(Name of court)

**Form 29C: Notice to
Co-Owner of Debt**

at

Court office address

Recipient(s)**Payor**

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).	Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).
Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

TO: (co-owner's full legal name and address)

A court case between the recipient and the payor has resulted in a court order requiring the payor to pay money to the recipient. The recipient or a person enforcing this order on the recipient's behalf has served me or my business with a notice of garnishment, claiming to intercept a debt that I or my business is supposed to owe and to pay to the payor. Under the law, a debt to the payor includes both a debt payable to the payor alone and a debt payable jointly to the payor and one or more other persons. According to my records or the records of my business, you are such an "other person" who shares in the debt that I or my business owe to the payor.

☐ In accordance with this notice of garnishment, I have paid out one half

☐ In accordance with a court order, I have paid out \$.

of the debt that I or my business jointly owes to you and the payor. This money is being held for 30 days by:

☐ the clerk of the court

☐ the Director of the Family Responsibility Office

at (address)

IF YOU BELIEVE THAT I OR MY BUSINESS HAVE PAID OUT MONEY THAT LEGALLY BELONGS TO YOU, you have 30 days from the service of this notice to serve Form 29G (*Dispute from Co-owner of Debt*) and file it with the court. You can get a copy of this form from your own lawyer or from the court office. You must then serve a completed copy of this form to the following persons:

(a) me or my business at the address given below;

(b) the payor and the recipient; and

(c) the clerk of the court or the Director, depending on who is holding the money.

You can serve by any method set out in rule 6 of the *Family Law Rules*, including mail, courier and fax. Once you have served this form, you must then file it with the court with proof of service (Form 6B). The court may then hold a garnishment hearing to determine your rights.

IF YOU FAIL TO DO THIS WITHIN 30 DAYS, you may not later challenge the recipient's garnishment of the debt that I or my business jointly owes to you and the payor.

Signature of person preparing this notice or of person's lawyer

Date of signature

Typed or printed name, address for service, telephone & fax numbers and e-mail address of person or of person's lawyer

Court File Number

(Name of court)

**Form 29D: Statutory
Declaration of Indexed
Support, dated**

at _____
Court office address

Recipient(s)

Full legal name & address for service — street & number, municipality,
postal code, telephone & fax and e-mail address (if any).

Lawyer's name & address — street & number, municipality, postal code,
telephone & fax numbers and e-mail address (if any).

Payor

Full legal name & address for service — street & number, municipality,
postal code, telephone & fax numbers and e-mail address (if any).

Lawyer's name & address — street & number, municipality, postal code,
telephone & fax numbers and e-mail address (if any).

Garnishee

Full legal name & address for service — street & number, municipality,
postal code, telephone & fax numbers and e-mail address (if any).

Lawyer's name & address — street & number, municipality, postal code,
telephone & fax numbers and e-mail address (if any).

My name is (full legal name)

I live in (municipality & province)

and I declare that the following is true:

1. I am ☐ a recipient under a support order or the support provisions of a domestic contract or paternity agreement.
☐ an assignee of a recipient under a support order or the support provisions of a domestic contract or paternity agreement.
☐ an agent of the Director of the Family Responsibility Office.
☐ (Other. Specify.)
2. On (date), a notice of garnishment was issued to the garnishee to enforce a support order or the support provisions of a domestic contract or paternity agreement that indexed the periodic payments for inflation.
3. On (date), the amount of support was automatically adjusted for inflation as set out in the order, contract or agreement.
4. As a result of this adjustment, the garnishee should now be making the following deductions: (State new level of deductions)

Continued on other side. ➡

Form 29D: Statutory Declaration of Indexed Support (page 2)

Court file number

*Put a line through any blank space left on this page.*Declared before me at
municipalityin
province, state or countryon
dateCommissioner for taking affidavits
(Type or print name below if signature is illegible.)

Signature

(This form is to be signed in front of a lawyer,
justice of the peace, notary public or commis-
sioner for taking affidavits.)

NOTE: This declaration must be served on the garnishee and the payor together with blank forms of dispute and must then be filed with the clerk of the court. You can serve by any means allowed in rule 6 of the *Family Law Rules*, including mail, courier and fax. The filing with the clerk of the court must be accompanied by proof of service (Form 6B).

NOTICE TO GARNISHEE: From the moment that you are served with this declaration, you must treat the notice of garnishment as if it now required you to make the deductions set out in paragraph 4 of this declaration. Failure to do so is the same as disobeying the *Notice of Garnishment*.

NOTICE TO PAYOR AND GARNISHEE: You have the right to serve and file a dispute in Form 29E (*Dispute from Payor*) or Form 29F (*Dispute from Garnishee*) at the court office within 10 days after service of this declaration on you if you have legal reasons for objecting to the changes to the notice of garnishment. You may want to talk to a lawyer about this. A blank form of dispute should have accompanied this declaration when it was served on you. If it is missing, you should talk to your own lawyer or the court office immediately. If this is what you want to do, you must serve your dispute on the other parties. You can serve by any means allowed in rule 6 of the *Family Law Rules*, including mail, courier and fax. Once the dispute has been served, you must file it with the clerk of the court. The filing must be accompanied by proof of service (Form 6B). If you serve and file your dispute, the court may hold a garnishment hearing to decide the rights of the parties.

Court File Number

(Name of court)

Form 29E: Dispute
(payor)

at

Court office address

Recipient(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Payor

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Garnishee

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

My name is (full legal name)

I live in (municipality & province)

and I swear/affirm that the following is true:

1. I am the payor in this garnishment case.

2. I dispute ☐ the notice of garnishment issued on
☐ the statutory declaration of indexed support made on(date) , for the following reason(s):
(State the reason or reasons for your dispute in numbered paragraphs.)

Continued on other side. ➡

Form 29E: Dispute (payor) (page 2)

Court file number

Put a line through any blank space left on this page.

Sworn/Affirmed before me at <div>municipality</div>		<div>Signature</div> <div>(This form is to be signed in front of a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)</div>
in <div>province, state or country</div>		
on <div>date</div>	<div>Commissioner for taking affidavits</div> <div>(Type or print name below if signature is illegible.)</div>	

NOTICE TO RECIPIENT: Please examine this dispute. If you disagree with it, you may ask to have a court hearing. You may want to talk to your own lawyer about this. You have 10 days from the date of being served with this document to decide whether to have a court hearing. If you want a hearing, you or your lawyer have 10 days within which to ask the clerk of the court, either in person or in writing, to mail out to you, to the payor, to the garnishee and to the co-owner of a joint debt (if any) a notice of garnishment hearing (Form 29H). At that hearing, the judge will give you and the other parties a chance to be heard and may make an order that can affect the rights of all parties.

Court File Number

(Name of court)

**Form 29F: Dispute
(garnishee)**

at

Court office address

Recipient(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).
--	--

Payor

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).
--	--

Garnishee

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).
--	--

1 I am the garnishee in this garnishment case.

2. I am not legally required to pay ☐ the amounts set out in the notice of garnishment issued on
☐ the changed amounts set out in the statutory declaration of indexed support made on

(date), for the following reason(s):

- ☐ I do not owe and do not expect to owe any money to the payor because:
- ☐ the payor has never worked for me.
 - ☐ the payor stopped working for me on (date)
 - ☐ I owed the payor money and paid it in full by (date)
 - ☐ I do not hold any money in trust for or to the credit of the payor.
 - ☐ (Other. Specify.)

Continued on other side. ➡

Form 29F: Dispute (garnishee) (page 2)

Court file number

- ☐ I owe or will owe money to the payor, but it cannot be seized by garnishment because *(State reasons for legal exemption.)*
- ☐ *(Other grounds. Specify.)*

Put a line through any blank space left on this page.

Signature of garnishee

Date of signature

NOTICE TO RECIPIENT: Please examine this dispute. If you disagree with it, you may ask to have a court hearing. You may want to talk to your own lawyer about this. You have 10 days from the date of being served with this document to decide whether to have a court hearing. If you want a hearing, you or your lawyer have 10 days within which to ask the clerk of the court, either in person or in writing, to mail out to you, to the payor, to the garnishee and to the co-owner of a joint debt (if any) a notice of garnishment hearing (Form 29H). At that hearing, the judge will give you and the other parties a chance to be heard and may make an order that can effect the rights of all parties.

Court File Number

(Name of court)

Form 29G: Dispute
(co-owner of debt)at _____
Court office address**Recipient(s)**

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Payor

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Garnishee

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

- 1 I am a person who shares in the debt that the garnishee in this garnishment case is supposed to owe to the payor.
- 2 I make a claim on the money that the garnishee paid out and that is being temporarily held for the recipient's benefit as follows: (In separately numbered paragraphs, indicate the amount that you are claiming to be yours and set out the legal basis for your claim.)

Put a line through any blank space left on this page.

Continued on other side. ➡

Form 29G: Dispute (co-owner of debt) (page 2)

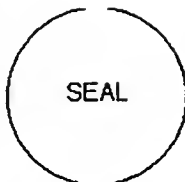
Court file number

Put a line through any blank space left on this page.

Signature of co-owner of debt

Date of signature

NOTICE TO RECIPIENT: Please examine this dispute. If you disagree with it, you may ask to have a court hearing. You may want to talk to your own lawyer about this. You have 10 days from the date of being served with this document to decide whether to have a court hearing. If you want a hearing, you or your lawyer have 10 days within which to ask the clerk of the court, either in person or in writing, to mail out to you, to the payor, to the garnishee and to the co-owner of a joint debt (if any) a notice of garnishment hearing (Form 29H). At that hearing, the judge will give you and the other parties a chance to be heard and may make an order that can affect the rights of all parties.



(Name of court)

Court File Number

at _____

Court office address

Form 29H: Notice of
Garnishment Hearing

Recipient(s)

<p><i>Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).</i></p>	<p><i>Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>
--	--

Payor

<p><i>Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>	<p><i>Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>
--	--

Garnishee

<p><i>Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>	<p><i>Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>
--	--

TO THE PARTIES:

THE COURT WILL HOLD A HEARING on (date) _____, at _____ a.m./p.m.
or as soon as possible after that time, at (place of hearing)

because (Check the appropriate box or boxes.)

- ☐ a dispute has been filed by the ☐ payor ☐ garnishee ☐ co-owner of a debt
- ☐ it is claimed that the garnishee has not paid any money
- ☐ it is claimed that the garnishee has paid less than the required amount money

and the clerk of the court has received a request that a garnishment hearing be held.

IF YOU DO NOT COME TO COURT, AN ORDER MAY BE MADE WITHOUT YOU AND ENFORCED AGAINST YOU.

Signature of the clerk of the court

Date of signature

NOTE: Where a dispute has been served and filed, a photocopy of it should be attached to this notice. If it is missing, you should talk to the court office immediately.

Court File Number

(Name of court)

**Form 29I: Notice to
Stop Garnishment**

at

Court office address

Recipient(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Payor

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Garnishee

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

TO: (name of garnishee)

AND TO ☐ THE CLERK OF THE COURT: ☐ THE SHERIFF OF (area)

My name is: (full legal name)

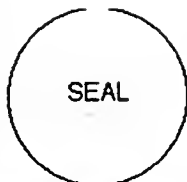
- I am ☐ the person who asked for the garnishment in this case.
☐ the lawyer for the person who asked for the garnishment in this case.
☐ the person who continued this garnishment under a transfer of enforcement.
☐ the lawyer for the person who continued this garnishment under a transfer of enforcement.
☐ an agent for the Director of the Family Responsibility Office.
☐ (Other. Specify.)

The notice of garnishment issued on (date) _____, by the clerk of the court is withdrawn today.

YOU ARE THEREFORE DIRECTED TO STOP FURTHER PAYMENTS UNDER THE GARNISHMENT.

Signature of person withdrawing garnishment

Date of signature



Court File Number

(Name of court)

**Form 30: Notice of
Default Hearing**

at

Court office address

Recipient(s)

Full legal name & address for service — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Lawyer's name & address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Payor

Full legal name & address for service — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Lawyer's name & address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

TO (name of payor)**YOU MUST COME TO COURT** on (date), at a.m./p.m.
or as soon after that time as the court can hear the matter, at (place of hearing)

It is claimed by the recipient or on the recipient's behalf that you have missed support payments under an order, domestic contract or paternity agreement. Details of the claim against you can be found in the attached copy of the statement of money owed. If it is missing, you should contact the court office immediately. The court has been asked to hold a default hearing under section 41 of the *Family Responsibility and Support Arrears Enforcement Act*, in which you will be required to explain not only the missed payments mentioned in the statement of money owed, but also any payments missed right up to the day when the court holds the hearing.

YOU MUST FILL OUT the attached blank forms of the financial statement (Form 13) and the default dispute (Form 30B), serve a copy of the completed forms on the recipient's lawyer, or on the recipient if the recipient has no lawyer, or on the Director of the Family Responsibility Office, and then file the completed forms, together with proof of service (Form 6B), at the court office, all within 10 days after service of this notice on you. You can use any method of service allowed under rule 6 of the *Family Law Rules*, including mail, courier or fax. If the blank forms are missing, you must talk to the court office immediately.

IF YOU DO NOT FILL OUT AND SERVE THE FINANCIAL STATEMENT OR IF YOU DO NOT COME TO COURT AS REQUIRED BY THIS NOTICE, A WARRANT MAY BE ISSUED FOR YOUR ARREST TO BRING YOU TO COURT.

You should bring with you to the default hearing any documents (such as cancelled cheques) that you need to prove that you made payments that are claimed to be missing. You may bring your own lawyer with you.

AT THE DEFAULT HEARING, THE COURT MAY MAKE AN ORDER AGAINST YOU, INCLUDING AN ORDER FOR YOUR IMPRISONMENT FOR UP TO 90 DAYS. YOU MAY ALSO BE ORDERED TO PAY COSTS.

IF YOU PAY THE AMOUNT OF THE MISSING PAYMENTS ON OR BEFORE THE DAY OF THE HEARING, YOU MAY STILL BE REQUIRED TO COME TO COURT AND TO PAY COSTS.

Signature of clerk of the court

Date of signature

Court File Number

(Name of court)

**Form 30A: Request for
Default Hearing**at _____
Court office address**Recipient(s)**

<i>Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).</i>	<i>Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i>

Payor

<i>Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i>	<i>Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i>

TO THE CLERK OF THE COURT :

1. I am ☐ the person who signed the attached statement of money owed.
☐ the lawyer for the person who signed the attached statement of money owed.
☐ (Other. Specify.)
2. The payor has missed support payments in the amount of \$, as detailed in the attached statement of money owed.
3. I request that a notice of default hearing be issued requiring the payor to come to court to explain the missed payments at a hearing under section 41 of the *Family Responsibility and Support Arrears Enforcement Act*.

Signature_____
Date of signature

NOTE: You must prepare and attach a fresh statement of money owed (one that has been prepared within the past 30 days) to this request when you file it with the clerk of the court. Then, in the week leading up to the default hearing, you must file an updated statement of money owed.

Court File Number

(Name of court)

Form 30B: Default
Dispute

at

Court office address

Recipient(s)

Full legal name & address for service — street & number, municipality,
postal code, telephone & fax and e-mail address (if any).Lawyer's name & address — street & number, municipality, postal code,
telephone & fax numbers and e-mail address (if any).

Payor

Full legal name & address for service — street & number, municipality,
postal code, telephone & fax numbers and e-mail address (if any).Lawyer's name & address — street & number, municipality, postal code,
telephone & fax numbers and e-mail address (if any).

My name is (full legal name)

I live in (municipality & province)

and I swear/affirm that the following is true:

1. I am the person named as payor in this case.

(Check off and fill in appropriate paragraphs below. Paragraphs that do not apply to you may be struck out and initialed.)

☐ 2. I have not missed any support payments as claimed in the statement of money owed because: (Set out your reasons for saying that there are no missed payments.)☐ 3. I do not owe the amount claimed in the statement of money owed. I owe instead the sum of \$. The reason for the difference in the amounts is:

(Set out your explanation, if any and if known, for the difference. If you have paid all the money that you claim to owe here, ignore and strike out paragraphs 4 and 5 below; if not, go to paragraph 5 on the other side to give your reasons for non-payment.)

Put a line through any blank space left on this page.

Continued on other side. ➡

Form 30B: Default Dispute (page 2)

Court file number

☐ 4. I owe the amount claimed in the statement of money owed. (Go to paragraph 5 below to give your reasons for not paying.)

☐ 5. My reasons for not paying the money that I owe are: (State your reasons.)

Put a line through any blank space left on this page.

Sworn/Affirmed before me at
municipality

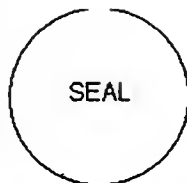
in
province, state or country

on
date

Commissioner for taking affidavits
(Type or print name below if signature is illegible.)

Signature

(This form is to be signed in front of a
lawyer, justice of the peace, notary public
or commissioner for taking affidavits.)



(Name of court)

Court File Number

at _____
Court office address

**Form 31: Notice of
Contempt Motion**

Applicant(s)/Recipient(s) *(Strike out inapplicable term.)*

<p><i>Full legal name & address for service — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>	<p><i>Lawyer's name & address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>
--	--

Respondent/Payor *(Strike out inapplicable term.)*

<p><i>Full legal name & address for service — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>	<p><i>Lawyer's name & address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>
--	--

TO: *(name of person against whom contempt motion is made)*

The person making this motion or the person's lawyer must contact the clerk of the court by telephone or otherwise to choose a time and date when the court could hear this motion

YOU MUST COME TO COURT AT: *(place of hearing)*

ON *(date)*
at a.m./p.m. and to remain until the court has dealt with the case.

A motion will be made by *(moving party's name)*

for a finding that you are in contempt of the court because you: *(Briefly state details of contempt.)*

The evidence against you is set out in the affidavit(s) attached to this notice. If the document(s) is/are missing, you must talk to the court office immediately.

IF YOU ARE FOUND IN CONTEMPT OF THE COURT, THE COURT MAY MAKE AN ORDER TO IMPRISON YOU, TO PAY A FINE AND TEMPORARILY TO SEIZE YOUR PROPERTY. YOU MAY ALSO BE ORDERED TO PAY COSTS.

IF YOU DO NOT COME TO COURT, A WARRANT MAY BE ISSUED FOR YOUR ARREST TO BRING YOU TO COURT.

Signature of person making this motion or of person's lawyer

Date of signature

--

Typed or printed name, address for service, telephone and fax numbers and e-mail address of person or of person's lawyer



(Name of court)

Court File Number

at _____
Court office address

Form 32: Bond
(recognizance)

Applicant(s)/Recipient(s) *(Strike out inapplicable term.)*

<p><i>Full legal name & address for service — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>	<p><i>Lawyer's name & address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>
--	--

Respondent/Payor *(Strike out inapplicable term.)*

<p><i>Full legal name & address for service — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>	<p><i>Lawyer's name & address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>
--	--

TO THE COURT :

My name is *(full legal name)*

I live in *(municipality and province)*

I ACKNOWLEDGE THAT I OWE ☐ Her Majesty the Queen
☐ *(name of person who can legally collect the money from me)*

the amount of \$, ☐ that will be immediately deposited in full with the clerk of the court by me or by one or more of my sureties and that will be forfeited,
☐ that, by the court's permission, will not need to be deposited with the clerk of the court but that can be collected from me and from one or more of my sureties in the same way that an order for the payment of money may be enforced by this court,

if I do not comply with any one or more of the following conditions:

(List the conditions in numbered paragraphs. Indicate the duration of each condition with the words, "... until [expiry date]" or a similar phrase wherever the judge has imposed an expiry date.)

Continued on other side. ➡

Form 32: Bond (recognizance) (page 2)

Court file number

Put a line through any blank space left on this page or on the reverse page.

Signature of person under bond (recognizance)

NOTE: A recognizance must be signed in front of the clerk of the court or the judge. No seal is needed for a bond

(Complete the following unless the court did not require any surety. No seals are needed for a bond.)

By signing below, each surety agrees to become indebted in the same way as the person giving the bond or recognizance if that person does not comply with the terms on this form.

Full legal name and address of first surety

Full legal name and address of second surety

Signature of first surety

Signature of second surety

Full legal name and address of third surety

Full legal name and address of fourth surety

Signature of third surety

Signature of fourth surety

If this form is a recognizance, the following must be completed.

This recognizance was signed before me at (municipality)

Signature of judge or clerk of the court

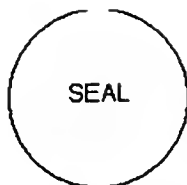
ON (date)

NOTE TO THE BOND GIVER AND TO ANY SURETY: If there is a material change in circumstances, you may make a motion to the court to change any condition of this bond (recognizance).

Court File Number

(Name of court)

**Form 32A: Notice of
Forfeiture Motion**at _____
Court office address**Applicant(s)/Recipient(s)** *(Strike out inapplicable term.)*Full legal name & address for service — street & number, municipality,
postal code, telephone & fax and e-mail address (if any).Lawyer's name & address — street & number, municipality, postal code,
telephone & fax numbers and e-mail address (if any).**Respondent/Payor** *(Strike out inapplicable term.)*Full legal name & address for service — street & number, municipality,
postal code, telephone & fax numbers and e-mail address (if any).Lawyer's name & address — street & number, municipality, postal code,
telephone & fax numbers and e-mail address (if any).**TO:** *(name of person who entered into recognizance or who posted bond)***AND TO:** *(name of surety or sureties)**The person making this motion or
the person's lawyer must contact
the clerk of the court by telephone
or otherwise to choose a time and
date when the court could hear this
motion***THE COURT WILL HEAR A MOTION ON (date)** _____,
at _____ a.m./p.m., or as soon as possible after that time **at:** *(place of hearing)*The motion is being made by *(moving party's name)*
who will be asking the court to make an order of forfeiture in respect of
☐ a recognizance entered into ☐ a bond posted
by *(name of person who entered into recognizance or who posted bond)*on *(date)* A copy of the bond/recognizance should be attached to
this notice. Details of the grounds of the motion are set out in the affidavit(s) that accompany this notice. If the
document(s) is/are missing, you should talk to the court office immediately.**IF YOU DO NOT COME TO COURT FOR THIS MOTION, AN ORDER OF FORFEITURE MAY BE MADE WITHOUT
YOU AND MAY BE ENFORCED AGAINST YOU.**_____
Signature of person making this motion or of person's lawyer_____
Date of signature_____
Typed or printed name, address for service, telephone and fax numbers and e-mail
address of person or of person's lawyer



(Name of court)

Court File Number

at _____
Court office address

Form 32B: Warrant
for Arrest

TO ALL PEACE OFFICERS IN THE PROVINCE OF ONTARIO:

I COMMAND YOU TO ARREST (name of person to be arrested)
on the grounds that this person is:

- ☐ a payor who has failed to file a financial statement at the request of the Director of the Family Responsibility Office.
See subsection 40(4) of the Family Responsibility and Support Arrears Enforcement Act.
- ☐ a payor who has failed to file a financial statement, as required by a *Notice of Default Hearing*.
See subsection 41(6) of the Family Responsibility and Support Arrears Enforcement Act.
- ☐ a payor who has failed to appear before the court to explain a default in a support order, domestic contract or paternity agreement that is enforceable in this court, as required by a *Notice of Default Hearing*.
See subsection 41(6) of the Family Responsibility and Support Arrears Enforcement Act.
- ☐ a payor who is about to leave Ontario intending to evade his or her responsibilities under a support order, domestic contract or paternity agreement that is enforceable in this court.
See subsection 49(1) of the Family Responsibility and Support Arrears Enforcement Act.
- ☐ a respondent in an application for support who is about to leave Ontario, intending to evade his or her responsibilities under the *Family Law Act*.
See subsection 43(1) of the Family Law Act.
- ☐ a respondent in an application to incorporate a paternity agreement in an order of the court, who is about to leave Ontario, intending to evade his or her responsibilities under the agreement.
See subsection 59(2) of the Family Law Act.
- ☐ a witness whose presence is necessary to determine an issue in a proceeding, who has been served with a *Summons to Witness* and who has failed to attend or to remain in attendance as required by the *Summons to Witness*.
See subrules 20(9), 23(7) and 27(19) of the Family Law Rules.
- ☐ a person who has failed to appear at a proceeding that may result in an order requiring him or her to enter into a *Recognizance* or to post a *Bond*.
See subrule 32(1) of the Family Law Rules.
- ☐ a person who has failed to enter into a *Recognizance* or to post a *Bond* as required by an order of this court.
See rule 32(1) of the Family Law Rules.
- ☐ a person against whom a motion for contempt of the court is brought, whose attendance at the motion for contempt is necessary in the interests of justice and who appears not likely to appear voluntarily at the motion.
See subrule 31(4) of the Family Law Rules.
- ☐ (Other. Specify the grounds and the statutory or regulatory authority to issue this warrant.)

AND I FURTHER COMMAND YOU to bring this person immediately to court in the municipality in which he or she may be found to be dealt with according to law, and if the court is not then sitting, to bring this person to a justice of the peace as soon as possible to be dealt with according to law.

Signature of judge

Date of issue

Print or type name of judge

Date on which this warrant expires

Insert all available information

Full legal name of person to be arrested				Birth date (d,m,y)		Sex
Aliases or nicknames						
Residential address				Telephone number		
Employment address				Telephone number		
Height	Weight	Hair colour	Hair style	Eye colour	Complexion	
Driver's licence			Year, make & model of automobile			
Licence plate & province			Social insurance number			
Clubs, associations or union affiliation						
Most recent date & occasion when residential address was verified by personal service						
Name & address of person to be contacted for further information				Telephone number		

WARRANT FOR ARREST

(Name of court)

at

Court office address

I have informed this arrested person of his/her right to a lawyer.

Date of arrest

Signature of arresting officer

Printed name of arresting officer

(In space below, set out address and telephone number where arresting officer may be contacted.)

Court File Number

(Name of court)

**Form 32C: Affidavit for
Warrant of Committal**at
Court office address

dated

Applicant(s)/Recipient(s) *(Strike out inapplicable term.)*Full legal name & address for service — street & number, municipality,
postal code, telephone & fax and e-mail address (if any).Lawyer's name & address — street & number, municipality, postal code,
telephone & fax numbers and e-mail address (if any).**Respondent/Payor** *(Strike out inapplicable term.)*Full legal name & address for service — street & number, municipality,
postal code, telephone & fax numbers and e-mail address (if any).Lawyer's name & address — street & number, municipality, postal code,
telephone & fax numbers and e-mail address (if any).My name is *(full legal name)*I live in *(municipality & province)*

and I swear/affirm that the following is true:

1. I am ☐ a recipient under a payment order.
☐ an assignee of a recipient under a payment order.
☐ an agent of the Director of the Family Responsibility Office.
☐ *(Other. Specify.)*
2. I am the person who ☐ asked the payor to file a financial statement.
☐ asked the payor to come to a financial examination.
☐ began a default hearing against the payor.
☐ made a contempt motion.
☐ *(Other, specify.)*
3. I make this motion to ask the court to issue a warrant of committal.
4. On *(date)*, the court made an order of imprisonment,
a photocopy of which is attached to this affidavit, committing,
 - ☐ the payor to prison for disobeying the court's order to file a financial statement,
 - ☐ the payor to prison for disobeying the court's order or direction about a financial examination,
 - ☐ the payor to prison for missing support payments,
 - ☐ *(name)* to prison for contempt of court,
 - ☐ *(Other, specify.)*

for a period of days, but the committal was suspended on certain conditions set out in the order of imprisonment.

Continued on other side. ➡

Form 32C: Affidavit for Warrant of Committal (page 2)

Court file number

5. The respondent/payor was

- ☐ in court or his/her lawyer or agent was in court when this order of conditional imprisonment was made.
☐ not in court nor was his/her lawyer or agent was in court when the order of conditional imprisonment was made, but the order was served on him/her on (date)

6. The conditions that were broken and the circumstances of the breach are as follows: (Set out conditions of the suspended imprisonment that were broken and details of the breach.)

- ☐ Payment of the sum of \$. was due by (date)
but no payment was made by that day.
☐ Payment of the sum of \$. was due by (date)
but only a partial payment of \$. was made by that day.
☐ (Other, specify.)

Put a line through any blank space left on this page.

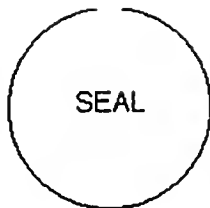
Sworn/Affirmed before me at
municipality
in
province, state or country
on
date

Commissioner for taking affidavits
(Type or print name below if signature is illegible.)

Signature

(This form is to be signed in front of a
lawyer, justice of the peace, notary public
or commissioner for taking affidavits.)

Note to Moving Party: You must attach a photocopy of the court's order of conditional imprisonment to this Affidavit



(Name of court)

Court File Number

at _____
Court office address

Form 32D: Warrant
of Committal

TO ALL SHERIFFS AND OTHER PEACE OFFICERS IN THE PROVINCE OF ONTARIO;

AND TO THE OFFICERS OF THE: (name and address of correctional institution)

THIS WARRANT IS FOR THE COMMITTAL OF (full legal name of person to be imprisoned)

THIS COURT FOUND THAT this person:

- ☐ disobeyed the court's order to file a financial statement;
- ☐ disobeyed the court's order or direction about a financial examination;
- ☐ without valid reason missed support payments as required by an order, domestic contract or paternity agreement;
- ☐ was in contempt of court;
- ☐ (Other, specify.)

AS PUNISHMENT, THE COURT COMMITTED THIS PERSON to prison for a term of days, to be served,

- ☐ continuously
- ☐ Intermittently on (pattern of intermittent sentence)

and to be served ☐ consecutively with any other term of imprisonment now being serving or about to be served.
☐ (Set out alternative arrangement with respect to other terms of imprisonment.)

Check one ☐ **AND THE COURT DIRECTED THAT** this order of imprisonment be suspended on one or more conditions.
or both ☐ The court later found that this person broke one or more of the conditions and, as a result, the court has
boxes as ☐ ordered the removal of the suspension from the order of imprisonment;
appropriate. ☐ **AND THE COURT ORDERED THAT** this person be subject to immediate release from custody upon
Otherwise receipt by the officers of the correctional institution or other secure facility of the sum of \$. ;
strike out and initial.

I THEREFORE COMMAND YOU TO BRING THIS PERSON SAFELY TO THE CORRECTIONAL INSTITUTION OR SECURE FACILITY NAMED ABOVE AND TO DELIVER HIM/HER TO THE OFFICERS OF THAT INSTITUTION OR FACILITY, TOGETHER WITH THIS WARRANT.

AND I COMMAND YOU, THE OFFICERS OF THE CORRECTIONAL INSTITUTION OR SECURE FACILITY, TO ADMIT THIS PERSON INTO CUSTODY IN YOUR INSTITUTION OR FACILITY AND TO DETAIN HIM/HER THERE UNTIL THIS WARRANT EXPIRES.

This Warrant expires,

- (a) when this person has completed the prescribed term of imprisonment, subject to section 28 (remission of sentence) of the *Ministry of Correctional Services Act*; or
 - (b) when you, the officers of the correctional institution or secure facility, receive the sum named above; or
 - (c) upon further order of this court,
- whichever event happens first.

Signature of judge

Date of issue

Print or type name of judge

NOTE: Completion of the prescribed term of imprisonment does not discharge arrears of support or maintenance. A description of the person to be imprisoned is set out on the back of this warrant.

Insert all available information

Full legal name of person to be arrested				Birth date (d,m,y)		Sex
Aliases or nicknames						
Residential address				Telephone number		
Employment address				Telephone number		
Height	Weight	Hair colour	Hair style	Eye colour	Complexion	
Driver's licence			Year, make & model of automobile			
Licence plate & province			Social Insurance number			
Clubs, associations or union affiliation						
Most recent date & occasion when residential address was verified by personal service						
Name & address of person to be contacted for further information				Telephone number		

(Name of court)	at	Court office address	WARRANT OF COMMITTAL	
-----------------	----	----------------------	-------------------------	--

Court file number

(Name of court)

Form 33: Information
for Warrant to
Apprehend Child

at _____
Court office address

My name is (full legal name)

I live in (municipality & province)

and I swear/affirm that the following is true:

1. I am ☐ a child protection worker employed by (full legal name of children's aid society)
☐ (Give occupation or title.)
a peace officer in the province of Ontario, employed in (name of office out of which you work)
2. I have reasonable and probable grounds to believe and do believe that (child's full legal name)
is a child in need of protection for the following reasons: (Set out grounds for belief.)
3. I have reasonable and probable grounds to believe and do believe that a course of action less restrictive than the child's removal to a place of safety is not available or will not adequately protect the child, for the following reasons:
(Set out grounds for belief.)

(Strike out paragraph 4 if not applicable.)

4. I have reasonable and probable grounds to believe that the child may be found at (Give full municipal address or a precise description of the premises where the child may be located.)

Put a line through any blank space left on this page.

Sworn/Affirmed before me at
municipalityIn
province, state or countryon
date
Commissioner for taking affidavits
(Type or print name below if signature is illegible.)

Signature

(This form is to be signed in front of a
lawyer, justice of the peace, notary public
or commissioner for taking affidavits.)

Court file number

(Name of court)

**Form 33A: Warrant to
Apprehend Child**at _____
Court office address**TO ALL CHILD PROTECTION WORKERS AND PEACE OFFICERS IN THE PROVINCE OF ONTARIO:**

On the basis of an information sworn before me under Part III of the *Child and Family Services Act* respecting the child named or described at the bottom of this warrant, I am satisfied that there are reasonable and probable grounds to believe:

- (a) that the child is in need of protection; and
- (b) that a course of action less restrictive than the child's removal to a place of safety is not available or will not adequately protect the child.

(Check box below only if the child's whereabouts are known. Otherwise, strike out the paragraph below and initial the deletion.)

- ☐ I am further satisfied, on the basis of that information, that the child may now be found at (Give full municipal address or a precise description of the premises where the child may be located.)

I THEREFORE AUTHORIZE YOU TO BRING THIS CHILD to a "place of safety" within the meaning of the *Child and Family Services Act*.

This warrant expires at a.m./p.m. on (date)

Signature of justice of the peace_____
Date of signature_____
Print or type name of justice of the peace_____
Municipality where this warrant was signed

NOTE: Any changes, alterations or corrections to this form must be initialed by the justice of the peace. It is a criminal offence for any other person to change the wording of this warrant after it has been signed by the justice of the peace.

DESCRIPTION: Insert all available information

Full legal name of child to be apprehended				Birth date (d,m,y)		Sex	
Aliases or nicknames							
Residential address				Telephone number			
Present whereabouts of child				Telephone number			
Height	Weight	Hair colour	Hair style	Eye colour	Complexion		
Other features							
Name & address of person to be contacted for further information				Telephone number			

<hr/>	
<i>(Name of court)</i>	
<hr/>	
at	<hr/>
<i>Court office address</i>	
<hr/>	
<hr/>	
WARRANT TO APPREHEND CHILD	
<hr/>	
<hr/>	

Court File Number

(Name of court)

**Form 33B: Plan of Care
for Child**

at

Court office address

Applicant(s) [In most child protection cases, the applicant will be a children's aid society.]

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Respondent(s) [In most child protection cases, a respondent will be a "parent" within the meaning of section 37 of the Child and Family Services Act.]

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

1. My name is (full legal name)
and I am (state position with children's aid society)
2. The child(ren) in this case is/are: (State each child's full legal name, followed by the date of birth.)
3. In this case, the children's aid society will be asking the court
 - ☐ to make a finding that the child(ren) is/are in need of protection under Part III of the *Child and Family Services Act*.
 - ☐ to make a finding that the child(ren) continue(s) to be in need at a status review of the order made on (date), following a previous finding on (date), that the child(ren) was/were in need of protection under Part III of the *Child and Family Services Act*.
4. The children's aid society ☐ proposes to remove
☐ has removed
the child(ren) from the care of the respondent(s) ☐ temporarily.
☐ permanently.
5. The children's aid society will provide the following services: (Describe the services to be offered to the child(ren) and the family.)

Put a line through any blank space left on this page.

Continued on other side. ➡

Form 33B: Plan of Care for Child (page 2)

Court file number

6. The children's aid society expects the respondent(s) to carry out certain conditions before it would feel that supervision or wardship of the child(ren) is no longer needed. Very serious consequences could result if those conditions are broken. Those conditions are: *(Set out conditions.)*

Put a line through any blank space left on this page.

Continued on next sheet. ➡

Form 33B: Plan of Care for Child (page 3)

Court file number

7. The estimated time required to achieve the expectations in paragraph 6 is: *(Give estimated duration. If longer than 3 months, give reasons.)*
8. The child(ren) cannot be adequately protected while in the care of the respondent(s) because: *(State reasons.)*
9. The following efforts have been made in the past to protect the child(ren) while in the care of the respondent(s):
(Describe the efforts made. If no efforts were made, give explanation.)
10. The following efforts are planned to maintain the child(ren)'s contact with the respondent(s). *(Describe plans. Write "NIL" if there are no plans.)*

Put a line through any blank space left on this page.

Continued on other side. ➡

Form 33B: Plan of Care for Child (page 4)

Court file number

11. The children's aid society ☐ made
☐ is making

the following efforts for the child(ren)'s long-term, stable placement: *(Describe efforts within 24 months.)*

12. This plan of care was served on and its details explained to the respondent(s) and others named below:

Print name of person to whom this plan was explained	Print name of person who explained plan	Date of explanation

Put a line through any blank space left on this page.

Signature

Date of signature

Court File Number

(Name of court)

Form 33C: Statement of
Agreed Facts
(Child Protection)

at

Court office address

Applicant(s) *[In most child protection cases, the applicant will be a children's aid society.]*

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).
--	--

Respondent(s) *[In most child protection cases, a respondent will be a "parent" within the meaning of section 37 of the Child and Family Services Act.]*

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).
--	--

THE PEOPLE SIGNING THIS AGREEMENT ARE:

(Give full legal name. If you are a respondent, state your relationship to the child(ren). If you are an employee of the children's aid society, state your position within the society.)

Print or type full legal name	Relationship to child OR position within children's aid society
Signature	Date of signature
Print or type full legal name	Relationship to child OR position within children's aid society
Signature	Date of signature
Print or type full legal name	Relationship to child OR position within children's aid society
Signature	Date of signature
Print or type full legal name	Relationship to child OR position within children's aid society
Signature	Date of signature

WE AGREE: (a) that the statements made on this form are true; and
(b) that this form may be filed with the court and may be read to the court as evidence, without affecting anyone's right to test that evidence by cross-examination or to bring in other evidence.

Continued on other side. ➡

Form 33C: Statement of Agreed Facts (Child Protection) (page 2)

Court file number

1. The information about the child(ren) in this case is as follows:

Full legal name of first child:	Date of birth	Age	Sex
Child's religion			
Child's Indian or native status			
Name of child's band or native community			
If child was apprehended, address and identity of place from which child was removed			
Full legal name of child's mother by birth or by adoption			
Full legal name of child's father by birth or by adoption			
Father's status as "parent" under statute			

Full legal name of second child:	Date of birth	Age	Sex
Child's religion			
Child's Indian or native status			
Name of child's band or native community			
If child was apprehended, address and identity of place from which child was removed			
Full legal name of child's mother by birth or by adoption			
Full legal name of child's father by birth or by adoption			
Father's status as "parent" under statute			

Full legal name of third child:	Date of birth	Age	Sex
Child's religion			
Child's Indian or native status			
Name of child's band or native community			
If child was apprehended, address and identity of place from which child was removed			
Full legal name of child's mother by birth or by adoption			
Full legal name of child's father by birth or by adoption			
Father's status as "parent" under statute			

If there are more children, attach a sheet and number it.

Continued on next sheet. ➡

Form 33C: Statement of Agreed Facts (Child Protection) (page 3)

Court file number

2. The details of the children's aid society's previous involvement with one or more of these children in this case are as follows:

(Write "Nil" if no involvement. Indicate any involvement with children's aid society in another part of Ontario or a child protection agency outside Ontario. Please remember that this is a statement of AGREED FACTS. That means that you must not set out something as a fact if another party disagrees with it. If you cannot agree at all about anything, write: "No agreement reached.")

3. The child(ren) was/were apprehended because:

(If there was no apprehension, write "Nil". Again, there must be full agreement by all parties. Any point on which there is disagreement must be excluded. If there is no agreement at all on anything, write "No agreement reached.")

4. We agree that the court should make a finding that the child(ren) is/are in need of protection on the following reason(s):

(Use only the reasons listed on page 3 of the application [Form 8B]. Any reason on which there is disagreement must be excluded. If there is no agreement at all, write, "No agreement reached." In any event, the court can always make some other finding.)

Put a line through any blank space left on this page.

Continued on other side. ➡

Form 33C: Statement of Agreed Facts (Child Protection) (page 4)

Court file number

5. We agree that the least restrictive order possible in this case that would serve the best interests of the child(ren) is:

(Again, list only the terms and conditions on which there is full agreement by all parties. If there is no agreement at all, write, "No agreement reached." In any event, the court is always free to make some other order.)

Put a line through any blank space left on this page.

Court File Number

(Name of court)

**Form 33D: Statement of
Agreed Facts
(Status Review)**

at _____
Court office address

Applicant(s) [In most child protection cases, the applicant will be a children's aid society.]

Full legal name & address for service — street & number, municipality,
postal code, telephone & fax and e-mail address (if any).

Lawyer's name & address — street & number, municipality, postal code,
telephone & fax numbers and e-mail address (if any).

Respondent(s) [In most child protection cases, a respondent will be a "parent" within the meaning of section 37 of the Child and Family Services Act.]

Full legal name & address for service — street & number, municipality,
postal code, telephone & fax numbers and e-mail address (if any).

Lawyer's name & address — street & number, municipality, postal code,
telephone & fax numbers and e-mail address (if any).

THE PEOPLE SIGNING THIS AGREEMENT ARE:

(Give full legal name. If you are a respondent, state your relationship to the child(ren). If you are an employee of the children's aid society, state your position within the society.)

Print or type full legal name	Relationship to child OR position within children's aid society
Signature	Date of signature
Print or type full legal name	Relationship to child OR position within children's aid society
Signature	Date of signature
Print or type full legal name	Relationship to child OR position within children's aid society
Signature	Date of signature
Print or type full legal name	Relationship to child OR position within children's aid society
Signature	Date of signature

WE AGREE: (a) that the statements made on this form are true; and
(b) that this form may be filed with the court and may be read to the court as evidence, without affecting anyone's right to test that evidence by cross-examination or to bring in other evidence.

Continued on other side. ➡

Form 33D: Statement of Agreed Facts (Status Review) (page 2)

Court file number

1. The information about the child(ren) in this case is as follows:

Full legal name of first child:	Date of birth	Age	Sex
Child's religion			
Child's Indian or native status			
Name of child's band or native community			
If child was apprehended, address and identity of place from which child was removed			
Full legal name of child's mother by birth or by adoption			
Full legal name of child's father by birth or by adoption			
Father's status as "parent" under statute			

Full legal name of second child:	Date of birth	Age	Sex
Child's religion			
Child's Indian or native status			
Name of child's band or native community			
If child was apprehended, address and identity of place from which child was removed			
Full legal name of child's mother by birth or by adoption			
Full legal name of child's father by birth or by adoption			
Father's status as "parent" under statute			

Full legal name of third child:	Date of birth	Age	Sex
Child's religion			
Child's Indian or native status			
Name of child's band or native community			
If child was apprehended, address and identity of place from which child was removed			
Full legal name of child's mother by birth or by adoption			
Full legal name of child's father by birth or by adoption			
Father's status as "parent" under statute			

If there are more children, attach a sheet and number it.

Continued on next sheet. ➡

Form 33D: Statement of Agreed Facts (Status Review) (page 3)

Court file number

2. The most recent protection order dealing with the child(ren) in paragraph 1 was made on (date)
.....
and it said that: (State substance of order.)

- 3. The reason(s) that the court found the child(ren) to be in need of protection then was/were: (State grounds for protection.)**

4. Since the order under review was made, the following person(s) has/have become a "parent" under Part III of the *Child and Family Services Act*:

Full legal name

Relationship to child

5. Since that order was made, the following important events have happened:
(List the events that dealt with the concerns raised by the court in paragraph 3. Describe only the events on which you can ALL agree. Please remember that this is a statement of AGREED FACTS. That means that you must not set out something as a fact if at least one of the persons signing this statement disagrees with it. If you cannot agree at all about anything, write: "No agreement reached.")

6. As of today, the grounds in paragraph 3: ☐ continue to exist in whole or in part.
☐ no longer exist.

The details are as follows:

(Indicate your agreement about how much any of these grounds still continues to exist today. Do NOT state one party's opinion about continuing need for protection if another party does not fully agree with it. That opinion may be expressed, but not here in what is supposed to be a statement of agreed facts. If you cannot agree here, write: "No agreement reached.")

Put a line through any blank space left on this page.

Continued on other side. ➡

Form 33D: Statement of Agreed Facts (Status Review) (page 4)

Court file number

7. The following parts of the society's plan of (date)
have been carried out:
(Again, there must be full agreement by everyone signing this document. If anyone disagrees, the point cannot be listed below. If there is no agreement at all on anything, write: "No agreement reached.")
8. The following additional services have been specifically provided or offered to the person(s) who had custody of the child(ren) before the child(ren) came into care of the children's aid society.
(If you cannot agree, write "No agreement reached.")
9. The following parts of the society's plan of care were not carried out:
(Indicate what was not done. Again, all parties must agree. If there is no agreement, write "No agreement reached.")
10. The reasons that the parts of the plan were not carried out were:
(List the reasons on which everybody who signs this form agrees. Do not list reasons on which there is disagreement. If there is no agreement at all on any reason, write "No agreement reached.")

Put a line through any blank space left on this page.

Continued on next sheet. ➡

Form 33D: Statement of Agreed Facts (Status Review) (page 5)

Court file number

11. The child(ren) and *(name of other persons)*
☐ do not require ☐ still require
further services.

(List any further services only if ALL parties agree that there is a need for them. If there is no agreement, write, "No agreement reached.")

12. We agree that the least restrictive order possible in this case that would serve the best interests of the child(ren) is: *(Do NOT include terms on which there is any disagreement by any party. If there is total disagreement, write, "No agreement reached." In any event, the court is always free to make some other order.)*

Put a line through any blank space left on this page.

Court File Number

(Name of court)

**Form 33E: Child's
Consent to Secure
Treatment**at _____
Court office address**Applicant(s)**Full legal name & address for service — street & number, municipality,
postal code, telephone & fax and e-mail address (if any).Lawyer's name & address — street & number, municipality, postal code,
telephone & fax numbers and e-mail address (if any).**Child**

Full legal name of child:

Lawyer's name & address — street and number, municipality, postal
code, telephone & fax numbers and e-mail address (if any).

Birthdate:

Sex:

1. My name is (child's full legal name)
2. I know that the applicant(s) is/are asking the court to make an order
 - ☐ to send me to and maybe have me locked up for my own protection at
 - ☐ to keep me for a longer time and maybe keep me locked up for my own protection at
 - ☐ to get me released from
 (name and address of program)

3. I know that ☐ I have a right to be in court when this case is heard by the judge, but I agree not to come to court and to let the court make whatever order needs to be made without me.
☐ the court usually needs to hear witnesses before it can make an order in this case, but I agree that the court can make the order without having to hear witnesses in person and can reach its decision on evidence found in the reports and other documents that the applicant(s) can show to the judge.
4. I have talked with a lawyer
 - (a) who has explained these things to me, and
 - (b) who has explained what it means for me to sign this consent, and
 - (c) who is going to witness my signature of this form.

Signature of child_____
Date of signatures_____
Signature of lawyer

NOTE: This consent must be witnessed by an independent lawyer who is to provide an affidavit of independent legal advice on the reverse side of this sheet.

NOTE: A consent to dispense with oral evidence is not effective for more than 180 days after the court's order.

Continued on other side. ➡

Form 33E: Child's Consent to Secure Treatment (page 2)

Court file number

AFFIDAVIT OF EXECUTION AND INDEPENDENT LEGAL ADVICE

My name is *(full legal name)*

and I swear/affirm that the following is true:

1. I am a member of the Bar of *(name of jurisdiction)*
and am not acting for any other person in this secure treatment case.
2. I explained to *(child's full legal name)* about
 - ☐ the nature and effect of ☐ secure treatment;
 - ☐ an extension of secure treatment;
 - ☐ release from secure treatment;
 - ☐ the consequences of not attending the hearing; and
 - ☐ the consequences of a hearing where a court proceeds without hearing oral evidence;
 in language appropriate to his/her age to the best of my knowledge and skills.
3. After my explanation, the child told me that he/she wanted to sign this consent.
4. I was present at and witnessed the signing of this consent by the child.

Sworn/Affirmed before me at
municipality

in
province, state or country

on
date

Commissioner for taking affidavits
(Type or print name below if signature is illegible.)

Signature

(This form is to be signed in front of a
lawyer, justice of the peace, notary
public or commissioner for taking
affidavits.)

Court File Number

(Name of court)

**Form 33F: Consent to
Secure Treatment
(person other than child)**

at _____
Court office address

Applicant(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Child

Full legal name of child: Birthdate: Sex:	Lawyer's name & address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Name and address of secure treatment program in this case

My name is (full legal name) and I am

- ☐ the administrator of the secure treatment program. I consent to this application for
- ☐ the child's commitment to the program.
 - ☐ an extension of the child's commitment to the program.
 - ☐ an extension of the commitment to the program of the person admitted into it who has now attained the age of eighteen years.
- ☐ the child's parent. I consent to
- ☐ this application for the commitment of my child who is in the care of a person other than the administrator of the secure treatment program.
 - ☐ my child's commitment to the secure treatment program for a period of 180 days in this application brought by (full legal name of applicant children's aid society)
 - ☐ this application by the administrator of the secure treatment program for an extension of my child's admission to the program.
- ☐ an authorized representative of the Minister of Community and Social Services for Ontario. I consent to the admission of the child who is less than twelve years old to the secure treatment program
- ☐ temporarily while this case for an order of commitment or for an order extending it is adjourned.
 - ☐ on the court's final order of commitment or extending commitment.
- ☐ an officer of (full legal name of children's aid society)
I am authorized, on behalf of the society, to consent to this application of the administrator of the secure treatment program for an extension of the child's commitment to that program.
- ☐ the person who is the subject of this case. I am 18 years of age or more. I consent to this application to extend my commitment to the secure treatment program to which I am now admitted.

Signature

Date of signature

Court File Number

(Name of court)

**Form 34: Child's Consent
to Adoption**at _____
Court office address**Applicant(s)**

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Respondent(s) [Note: In some adoption cases, there may be no formal respondent.]

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

1. My name is (child's full legal name)
2. I was born on (give date of birth)
3. I know that (full legal name of applicant(s))
.....
is/are asking the court to make an order to adopt me.
4. I agree to being adopted by the applicant(s).
5. I have been given a chance to get counselling.
6. I know that I have 21 days to change my mind about this *Consent* and that I would have to put it in writing to the children's aid society office at: (municipal address)
7. I have spoken to a lawyer
 - ☐ who has explained adoption to me,
 - ☐ who has explained what it means for me to sign this *Consent*,
 - ☐ who has told me what to do if I want to change my mind about this *Consent*,
 - ☐ who has told me about the adoption disclosure register, and
 - ☐ who is going to witness my signing of this form.

To be completed only where the child is 12 years of age or older.

8. I agree that my name after adoption will be (full legal name after adoption)

Signature of child_____
Date of signatures_____
Signature of independent witnessing lawyer

Continued on other side. ➡

Form 34: Child's Consent to Adoption (page 2)

Court file number

AFFIDAVIT OF EXECUTION AND INDEPENDENT LEGAL ADVICEMy name is *(full legal name)*

and I swear/affirm that the following is true:

1. I am a member of the Bar of *(name of jurisdiction)* and am an agent of the Office of the Children's Lawyer.
2. I am not acting for any other person in this adoption case.
3. I explained to *(child's full legal name)* about
 - ☐ the nature and effect of adoption under the law of Ontario;
 - ☐ the nature and effect of this consent;
 - ☐ the circumstances under which this consent may be withdrawn;
 - ☐ the nature and operation of Ontario's adoption disclosure register; and
 - ☐ the right upon request to be advised whether an adoption order has been made, in language appropriate to his/her age to the best of my knowledge and skills.
4. After my explanation, the child told me that he/she wanted to sign this consent.
5. I was present at and witnessed the signing of this consent by the child.

Sworn/Affirmed before me at
municipalityin
province, state or countryon
dateCommissioner for taking affidavits
(Type or print name below if signature is illegible.)**Signature**

(This form is to be signed in front of a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

Court File Number

(Name of court)

**Form 34A: Affidavit of
Parentage, dated**at _____
Court office address**Applicant(s)**Full legal name & address for service — street & number, municipality,
postal code, telephone & fax and e-mail address (if any).Lawyer's name & address — street & number, municipality, postal code,
telephone & fax numbers and e-mail address (if any).**Respondent(s)** [Note: In some adoption cases, there may be no formal respondent.]Full legal name & address for service — street & number, municipality,
postal code, telephone & fax numbers and e-mail address (if any).Lawyer's name & address — street & number, municipality, postal code,
telephone & fax numbers and e-mail address (if any).

My name is (full legal name)

I live in (municipality & province)

and I swear/affirm that the following is true:

1. The child's full legal name is:
2. I am (State your relationship to the child.)
3. The child was born on (date), in (municipality, province, etc.)
4. The child's birth was registered with the vital statistics register of (province),
under the following name(s):

Check applicable box.

5. ☐ I do not know the identity of the child's biological father.
☐ The child's biological father is (father's full legal name)
☐ The only information that I have about the child's biological father is as follows (Give details.)

6. (Name of person familiar with legal meaning of "parent")
has reviewed with me those categories of persons who qualify as "parents" for the purposes of the *Child and Family Services Act* and whose consents have to be obtained before the child can be adopted.

Continued on other side. ➡

Check off those boxes below that pertain to your situation.

7. The review mentioned in paragraph 6 included an examination of the following checklist:

- ☐ The child was born within 300 days after

☐ the mother's husband (*husband's full legal name*) died.

☐ the mother got a divorce from (*spouse's full legal name*)

☐ the mother got an annulment from (*spouse's full legal name*)

☐ the mother's cohabitation with (*man's full legal name*)
that lasted for a period of (*State duration of relationship*)
came to an end.
- ☐ At the time of the child's birth, the child's mother was

☐ not married.

☐ married to (*husband's full legal name*)

☐ not cohabiting with any man.

☐ cohabiting with (*man's full legal name*)
a period of (*State duration of relationship*) for
- ☐ After the child's birth, the child's mother

☐ remained unmarried to this day, to the best of my knowledge and information.

☐ was married to a man who has never acknowledged that he is the father of the child.

☐ was married on (*date of marriage*) to
(*husband's full legal name*), who acknowledged that
he is the father of the child.
- ☐ Under Ontario's *Vital Statistics Act* or under similar legislation in another province or territory in Canada,

☐ no man, to the best of my knowledge and information,

☐ (*man's full legal name*)
has certified the child's birth as the child's father.
- ☐ As of today's date,

☐ no man has, to the best of my knowledge and information, been recognized by a court in
Canada

☐ (*man's full legal name*) has been recognized
by (*name of court*)
to be the father of the child.
- ☐ In the 12 months before the child was placed for adoption,

☐ no person,

☐ (*person's full legal name*)
has demonstrated a settled intention to treat the child as a child of his or her own family.
- ☐ In the 12 months before the child was placed for adoption,

☐ no person has acknowledged to me or, to the best of my knowledge and information, to any
other person or agency,

☐ (*person's full legal name*) acknowledged

☐ to me

☐ to (*name of other person or agency*)

parentage of the child and provided for the child's support.

☐ A statutory declaration

☐ has, to the best of my knowledge and information, never been filed by any person,

☐ was filed by (*person's full legal name*)
with the office of the Registrar General acknowledging parentage of the child.

☐ There is

☐ no written agreement or court order requiring any person,

☐ a written agreement made on (*date*) , at
(*municipality, etc.*) ,
requiring (*person's full name*)

☐ an order of (*name of court*) , made
on (*date*) , at

Continued on next sheet. ➡

Form 34A: Affidavit of Parentage (page 3)

Court file number

(municipality, etc.)
 requiring (person's full legal name)

to provide for the child's support.

- ☐ There is ☐ no written agreement or court order giving any person,
☐ a written agreement made on (date), at
 (municipality, etc.)
 giving (person's full name)
☐ an order of (name of court), made
 on (date), at
 (municipality, etc.)
 giving (person's full legal name)

custody of or access to the child.

8. The review in paragraphs 6 and 7 indicates that, other than the child's mother,

- ☐ no other person,
☐ (full legal name of person(s))

meets/meet the definition of "parent" whose consent would therefore be required before the child could be adopted.

Sworn/Affirmed before me at
 municipality

in
 province, state or country

on
 date
 Commissioner for taking affidavits
 (Type or print name below if signature is illegible.)

Signature

(This form is to be signed in front of a
 lawyer, justice of the peace, notary public
 or commissioner for taking affidavits.)

Court File Number

.....

(Name of court)

Form 34B: Non-Parent's
Consent to Adoption by
Spouse

at _____

Court office address

Applicant(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Respondent(s) [Note: In some adoption cases, there may be no formal respondent.]

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

1. My name is (full legal name)
and I live in (municipality & province)
2. The applicant is my "spouse" within the meaning of Part VII of the *Child and Family Services Act*.
3. I am not a "parent" of the child in this case within the meaning of Part VII of the *Child and Family Services Act*.
4. I consent to the adoption of (child's full legal name)
by my spouse (spouse's full legal name)

Signature of non-parent

Signature of independent lawyer

Date of signatures

NOTE: This consent must be witnessed by an independent lawyer who is to provide an affidavit of execution and independent legal advice on the reverse side of this form. If the person giving this consent is less than 18 years old, the consent must also be accompanied by a certificate of the Children's Lawyer in Form 34J.

Continued on other side. ➡

Form 34B: Non-Parent's Consent to Adoption by Spouse (page 2)

Court file number

AFFIDAVIT OF EXECUTION AND INDEPENDENT LEGAL ADVICEMy name is *(full legal name)*

and I swear/affirm that the following is true:

1. I am a member of the Bar of *(name of jurisdiction)*
and I am not acting for any other person in this adoption case.
2. I explained to *(non-parent's full legal name)* about
 - ☐ the nature and effect of adoption under the law of Ontario;
 - ☐ the nature and effect of this consent;
 - ☐ the circumstances under which this consent may be withdrawn;
 - ☐ the nature and operation of Ontario's adoption disclosure register; and
 - ☐ the right to counselling.
3. After my explanation, he/she told me that he/she wanted to sign this consent.
4. I was present at and witnessed the signing of this consent.

Sworn/Affirmed before me at
municipalityin
province, state or countryon
dateCommissioner for taking affidavits
(Type or print name below if signature is illegible.)

Signature

(This form is to be signed in front of a
lawyer, justice of the peace, notary
public or commissioner for taking
affidavits.)

Court File Number

.....

Form 34C: Director's or
Local Director's Statement
on Adoption

(Name of court)

.....

at

Court office address

Applicant(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Child

Full legal name of child:	Lawyer's name & address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).
Birthdate:	
Sex:	

A local director of a children's aid society may complete this form only where the child was placed for adoption by the society and the child has resided in the home of the applicant(s) for at least 6 months.

1. My name is (full legal name), and I am

☐ appointed as a Director under the *Child and Family Services Act*.
☐ the local director of (full legal name of children's aid society)
2. The child in this adoption case ☐ is less than 16 years of age.
☐ is less than 18 years of age and has not withdrawn from parental control.
3. The child has resided in the home of the applicant(s) since (date)
4. Having regard to the child's best interests, I recommend:

☐ that the period of residence be dispensed with and that an order be made for the child's adoption by the applicant(s).
☐ that the court make an order of interim custody of the child in favour of the applicant(s) for a period not exceeding one year on the terms set out on the other side of this sheet.
☐ because the child has resided in the home of the applicant(s) for at least 6 months, that an order be made for the child's adoption by the applicant(s).
☐ that an order for the child's adoption not be made for reasons set out on the other side of this sheet.
5. The report on the child's adjustment in the home of the applicant(s) is attached to this statement.
6. There are ☐ no additional circumstances to which I want to draw the court's attention.
☐ additional circumstances set out on the back of this form to which I want to draw the court's attention.

Signature

.....

Place of signature

.....

Date of signature

.....

NOTE TO THE APPLICANT(S): If you disagree with any of the statements made in this document, you will have a chance to challenge it in court and to present your own evidence.

Continued on other side. ➡

**Form 34C: Director's or Local Director's
Statement on Adoption (page 2)**

Court file number

(Set out any additional circumstances to which the court's attention should be drawn. If more space is needed, an additional page may be attached.)

(Set out the proposed terms of the interim custody order or the reasons for recommending against the making of an adoption order. If more space is needed, an additional page may be attached.)

Court File Number

.....

(Name of court)

Form 34D: Affidavit of Adoption Applicant(s)

at _____

Court office address

Applicant(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Respondent(s) [Note: In some adoption cases, there may be no formal respondent.]

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

My/Our name(s) is/are *(full legal name(s))*

I/We live in *(municipality & province)*

and I/We swear/affirm that the following is true:

1. I am/We are the applicant(s) for the adoption of the child in this case and reside in Ontario.
2. My/our birthdate(s) is/are: *(For two persons, indicate which birthdate belongs to whom.)*
3. The details of my/our background are as follows: *(Give details of your health, education, employment, ability to support and care for the child and any other relevant background material. If you need more space, you may add a page.)*

Form 34D: Affidavit of Adoption Applicant(s) (page 2)

Court file number

4. The child is a resident of Ontario and is:

- ☐ my/our grandchild by blood, marriage or adoption.
- ☐ my/our grandnephew/grandniece by blood, marriage or adoption.
- ☐ my/our nephew/niece by blood, marriage or adoption.
- ☐ a child of my spouse and is my stepchild.
- ☐ is not related to me/us.

5. The history of my/our relationship with the child is as follows: *(Give details of history of your relationship with the child. If you need more space, you may add a page.)*

Put a line through any blank space left on this page.

Continued on next sheet. ➡

Court File Number

(Name of court)

**Form 34E: Director's
Consent to Adoption**

at

Court office address

Applicant(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Child

Full legal name of child:	Lawyer's name & address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).
Birthdate:	
Sex:	

1. My name is (full legal name) , and I am appointed as a Director under the *Child and Family Services Act*.
2. The child in this adoption case became a Crown ward on (date) and was placed into the care of (full legal name of children's aid society) .
3. There are no outstanding access orders with respect to this child
4. I consent to this child's adoption by the applicant(s).

Signature

Date of signature

Place of signature

Court File Number

(Name of court)

Form 34F: Parent's or
Custodian's Consent
to Adoptionat _____
Court office address

1. My name is (full legal name)
I was born on (date of birth) and I live
at (municipality address)

2. The child in this case is: (Give child's full legal name and date of birth.)

3. I am a parent of the child within the meaning of Part VII of the *Child and Family Services Act* because I am (Check appropriate paragraph below.)

- ☐ the child's mother.
- ☐ the child's father.
- ☐ the person presumed to be the child's father under section 8 of the *Children's Law Reform Act*.
- ☐ an individual having lawful custody of the child.
- ☐ an individual who, during the 12 months before the child was placed for adoption, has demonstrated a settled intention to treat the child as a member of his/her family.

- ☐ an individual who, during the 12 months before the child was placed for adoption, has acknowledged parentage of the child and has provided for the child's support.
- ☐ an individual who is required to provide for the child or who has custody of or access to the child under a written agreement or a court order.
- ☐ an individual who has acknowledged parentage of the child under section 12 of the *Children's Law Reform Act*.

4. I understand the nature and effect of this consent. I understand that I may withdraw this consent within 21 days by filing a notice of withdrawal in writing at the children's aid society office at (municipal address)

5. I understand that, after the 21 days have passed, I may not be allowed to withdraw this consent unless I first get the court's permission, and then only if my child has not yet been placed for adoption and if I can show that it is in my child's best interests that this consent be withdrawn.

6. I understand the nature of an adoption order and that, if an adoption order is made, I will no longer be a parent of my child.

7. I understand my right to request to know and to be advised whether an adoption order has been made in respect of my child.

8. I understand the nature and operation of Ontario's adoption disclosure register and of my right and my child's right to participate in it.

9. I have had an opportunity to seek counselling with respect to this consent.

10. I have had independent legal advice with respect to this consent.

Signature of parent_____
Date of signatures_____
Signature of independent lawyer

NOTE: This consent must be witnessed by an independent lawyer who is to provide an affidavit of execution and independent legal advice on the reverse side of this form. If the person giving this consent is less than 18 years old, the consent must also be accompanied by a certificate of the Children's Lawyer in Form 34J.

Continued on other side. ➡

Form 34F: Parent's or Custodian's Consent to Adoption (page 2)

Court file number

AFFIDAVIT OF EXECUTION AND INDEPENDENT LEGAL ADVICEMy name is *(full legal name)*

and I swear/affirm that the following is true:

1. I am a member of the Bar of *(name of jurisdiction)*
and I am not acting for any other person in this adoption case.

2. I explained to *(parent's full legal name)* about
☐ the nature and effect of adoption under the law of Ontario;
☐ the nature and effect of this consent;
☐ the circumstances under which this consent may be withdrawn;
☐ the nature and operation of Ontario's adoption disclosure register; and
☐ the right to counselling.

3. After my explanation, he/she told me that he/she wanted to sign this consent.

4. I was present at and witnessed the signing of this consent.

Sworn/Affirmed before me at
municipality

In
province, state or country

on
date
Commissioner for taking affidavits
(Type or print name below if signature is illegible.)

Signature

(This form is to be signed in front of a
lawyer, justice of the peace, notary
public or commissioner for taking
affidavits.)

Court File Number

.....

Form 34G: Affidavit of
Adoption Licensee or
Society Employee

(Name of court)

at _____

Court office address

Applicant(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Respondent(s) [Note: In some adoption cases, there may be no formal respondent.]

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

My name is (full legal name)

I live in (municipality & province)

and I swear/affirm that the following is true:

1. The name of the child being placed for adoption is (child's full legal name)
2. I am ☐ a person licensed under Part IX of the *Child and Family Services Act* to place the child for adoption.
☐ an employee of (full legal name of children's aid society)
authorized to place the child for adoption.
3. I have made reasonable inquiries about the existence of any outstanding orders of custody of or access to the child.
To the best of my knowledge,
☐ there is no outstanding order.
☐ the outstanding order(s) is/are as follows: (For each order, give the name of the court, date of order, name of judge, court file number and full legal name(s) of the person(s) given custody or access under the order.)

**Form 34G: Affidavit of Adoption
Licensee or Society Employee (page 2)**

Court file number

4. I have made reasonable inquiries about the existence of any person — other than the person(s) who already filed a consent — who is a "parent" of the child within the meaning of Part VII of the *Child and Family Services Act*. To the best of my knowledge,
- ☐ there is no other "parent".
 - ☐ the other "parent(s)" is/are: *(For each person, state his or her full legal name, address and an explanation why a consent is not yet available.)*
5. I have made reasonable inquiries about the existence of any other application for the adoption of this child. To the best of my knowledge,
- ☐ there has been no other adoption application with respect to this child.
 - ☐ the details of the other adoption application(s) are as follows: *(For each application, state the name and location of the court before which the application was brought, the date of the application, the full legal name(s) of the applicant(s) and the result of the application.)*
6. I have made reasonable inquiries whether the person(s) who filed the consent(s) in this application withdrew the consent(s) or whether a court had set aside the consent(s). To the best of my knowledge,
- ☐ no consent was withdrawn or set aside.
 - ☐ the details of the withdrawal or of the setting aside are as follows: *(Specify details.)*
7. The child in this adoption case
- ☐ is 7 or more years old and I have therefore offered the child a chance to get counselling about the consent. This offer of counselling
 - ☐ was accepted and the child received counselling.
 - ☐ was turned down by the child.
 I also ensured that the child received independent legal advice from *(lawyer's name)*
 - ☐ is less than 7 years old and no counselling or independent legal advice was offered.
8. I offered the child's parent(s) a chance to get counselling about the consent and the offer
- ☐ was accepted by *(name of parent(s) who accepted offer)* and counselling was provided.
 - ☐ was turned down by *(name of parent(s) who refused offer)*

Put a line through any blank space left on this page.

Continued on next sheet. ➡

Form 34G: Affidavit of Adoption
Licensee or Society Employee (page 3)

Court file number

9. The parent(s) received independent legal advice from *(name of lawyer(s))*
10. To the best of my knowledge, no person has given, received or agreed to give or receive any payment or reward of any kind in connection with
- (a) the adoption of the child;
 - (b) the child's placement for adoption;
 - (c) the giving of any consent to the child's adoption; or
 - (d) any negotiations or arrangements leading up to the child's adoption,
- except for what is permitted by the *Child and Family Services Act* and the regulations made under it.

Sworn/Affirmed before me at	Signature <i>(This form is to be signed in front of a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)</i>
in <i>municipality</i>	
on <i>date</i>	
Commissioner for taking affidavits <i>(Type or print name below if signature is illegible.)</i>	

Court File Number

(Name of court)

**Form 34H: Affidavit of
Adopting Relative or
Stepparent**at _____
Court office address**Applicant(s)**Full legal name & address for service — street & number, municipality,
postal code, telephone & fax and e-mail address (if any).Lawyer's name & address — street & number, municipality, postal code,
telephone & fax numbers and e-mail address (if any).**Respondent(s)** [Note: In some adoption cases, there may be no formal respondent.]Full legal name & address for service — street & number, municipality,
postal code, telephone & fax numbers and e-mail address (if any).Lawyer's name & address — street & number, municipality, postal code,
telephone & fax numbers and e-mail address (if any).

My name is (full legal name)

I live in (municipality & province)

and I swear/affirm that the following is true:

1. I was born on (date of your own birth)
2. The name of the child whom I want to adopt is (child's full legal name)
3. I am the applicant in this adoption and am this child's

<input type="checkbox"/> stepparent.	<input type="checkbox"/> grandparent by blood marriage or adoption.
<input type="checkbox"/> aunt/uncle by blood marriage or adoption.	<input type="checkbox"/> great-aunt/great-uncle by blood marriage or adoption.
4. I have made reasonable inquiries about the existence of any outstanding orders of custody of or access to the child.
To the best of my knowledge,

<input type="checkbox"/> there is no outstanding order.
<input type="checkbox"/> the outstanding order(s) is/are as follows: (For each order, give the name of the court, date of order, name of judge, court file number and full legal name(s) of the person(s) given custody or access under the order.)

Put a line through any blank space left on this page.

Continued on other side. ➡

Form 34H: Affidavit of Adopting Relative or Stepparent (page 2)

Court file number

5. I have made reasonable inquiries about the existence of any person — other than the person(s) who already filed a consent — who is a "parent" of the child within the meaning of Part VII of the *Child and Family Services Act*. To the best of my knowledge,
 - ☐ there is no other "parent".
 - ☐ the other "parent(s)" is/are: *(For each "parent", state his or her full legal name, address and an explanation why a consent is not yet available.)*
6. I have made reasonable inquiries about the existence of any other application for the adoption of this child. To the best of my knowledge,
 - ☐ there has been no other adoption application with respect to this child.
 - ☐ the details of the other adoption application(s) are as follows: *(For each application, state the name and location of the court before which the application was brought, the date of the application, the full legal name of the applicant(s) and the result of the application.)*
7. I have made reasonable inquiries whether the person(s) who filed the consent(s) in this application withdrew the consent(s) or whether a court had set aside the consent(s). To the best of my knowledge,
 - ☐ no consent was withdrawn or set aside.
 - ☐ the details of the withdrawal or of the setting aside are as follows: *(Specify details.)*
8. The child in this adoption case
 - ☐ is 7 or more years old and I have therefore offered the child a chance to get counselling about the consent. This offer of counselling
 - ☐ was accepted and the child received counselling.
 - ☐ was turned down by the child.I also ensured that the child received independent legal advice from *(lawyer's name)*
 - ☐ is less than 7 years old and no counselling or independent legal advice was offered.
9. I offered the child's parent(s) a chance to get counselling about the consent and the offer
 - ☐ was accepted by *(name of parent(s) who accepted offer)* and counselling was provided.
 - ☐ was turned down by *(name of parent(s) who refused offer)*

Form 34H: Affidavit of Adopting Relative or Stepparent (page 3)

Court file number

10. I also ensured that the parent(s) received independent legal advice from *(name of lawyer(s))*

11. To the best of my knowledge, no person has given, received or agreed to give or receive any payment or reward of any kind in connection with

- (a) the adoption of the child;
 - (b) the child's placement for adoption;
 - (c) the giving of any consent to the child's adoption; or
 - (d) any negotiations or arrangements leading up to the child's adoption,
- except for what is permitted by the *Child and Family Services Act* and the regulations made under it.

Sworn/Affirmed before me at
municipality

In
province, state or country

on
date

Commissioner for taking affidavits
(Type or print name below if signature is illegible.)

Signature

(This form is to be signed in front of a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)

Court File Number

.....

Form 341: Parent's
Consent to Adoption by
Spouse

.....
(Name of court)

at
Court office address

Applicant(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Respondent(s) [Note: In some adoption cases, there may be no formal respondent.]

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

1. My name is (full legal name)
I was born on (date of birth) and I live
at (municipality address)
2. The applicant is my "spouse" within the meaning of Part VII of the *Child and Family Services Act*.
3. I am the child's parent within the meaning of Part VII of the *Child and Family Services Act* because I am (Check appropriate paragraph below.)

☐ the child's mother.
☐ the child's father.
☐ the person presumed to be the child's father under section 8 of the *Children's Law Reform Act*.
☐ an individual having lawful custody of the child.
☐ an individual who, during the 12 months before the child was placed for adoption, has demonstrated a settled intention to treat the child as a member of his/her family.

☐ an individual who, during the 12 months before the child was placed for adoption, has acknowledged parentage of the child and has provided for the child's support.
☐ an individual who is required to provide for the child or who has custody of or access to the child under a written agreement or a court order.
☐ an individual who has acknowledged parentage of the child under section 12 of the *Children's Law Reform Act*.
4. I consent to the adoption of (child's full legal name)
by my spouse.
5. I understand the nature and effect of this consent. I understand that I may withdraw this consent within 21 days by filing a notice of withdrawal in writing at the children's aid society office at (municipal address)
6. I understand that, after the 21 days have passed, I may not be allowed to withdraw this consent unless I first get the court's permission, and then only if my child has not yet been placed for adoption and if I can show that it is in my child's best interests that this consent be withdrawn.

Continued on other side. ➡

Form 34I: Parent's Consent to Adoption by Spouse (page 2)

Court file number

7. I understand the nature of an adoption order. I understand that, if an adoption order were made, my spouse would be joining me in the role of a parent and, together, we would be the child's only legal parents. An adoption order would require me to share my parental rights and responsibilities with my spouse equally and permanently until a court ordered otherwise.
8. I had a chance to seek counselling with respect to this consent.
9. I have had independent legal advice with respect to this consent.

Signature of parent_____
Date of signatures_____
Signature of independent lawyer

NOTE: This consent must be witnessed by an independent lawyer who is to provide an affidavit of execution and independent legal advice below. If the person giving this consent is less than 18 years old, the consent must also be accompanied by a certificate of the Children's Lawyer in Form 34J.

AFFIDAVIT OF EXECUTION AND INDEPENDENT LEGAL ADVICE

My name is (full legal name)

and I swear/affirm that the following is true:

1. I am a member of the Bar of (name of jurisdiction)
and I am not acting for any other person in this adoption case.
2. I explained to (parent's full legal name) about
- ☐ the nature and effect of adoption under the law of Ontario;
 - ☐ the nature and effect of this consent;
 - ☐ the circumstances under which this consent may be withdrawn;
 - ☐ the nature and operation of Ontario's adoption disclosure register; and
 - ☐ the right to counselling.
3. After my explanation, he/she told me that he/she wanted to sign this consent.
4. I was present at and witnessed the signing of this consent.

Sworn/Affirmed before me at
municipalityin
province, state or countryon
date_____
Commissioner for taking affidavits
(Type or print name below if signature is illegible.)_____
Signature
(This form is to be signed in front of a
lawyer, justice of the peace, notary
public or commissioner for taking
affidavits.)

Court File Number

(Name of court)

.....

Form 34J: Affidavit of

Execution and

Independent Legal

Advica (Children's Lawyer)

at _____
Court office address

My name is (full legal name)

and I swear/affirm that the following is true:

1. I am an authorized representative of the Office of the Children's Lawyer in the adoption of:

Full legal name of child(ren)	Date of birth (d,m,y)

2. I explained to (minor parent's full legal name) about

- ☐ the nature and effect of adoption under the law of Ontario;
- ☐ the nature and effect of a consent to adoption;
- ☐ the right to counselling;
- ☐ the nature and operation of Ontario's adoption disclosure register; and
- ☐ the right upon request to be advised whether an adoption order has been made,

in language appropriate to his/her age to the best of my knowledge and skills.

3. I also explained that he/she could withdraw the consent within 21 days by a written notice. I gave him/her the address of the children's aid society office where the written notice would have to be filed. I also explained that, after the 21 days had passed, he/she could withdraw the consent only with the court's permission but only if the child had not yet been adopted and if he/she could convince the court that it would be in the child's best interests to have the consent withdrawn.

4. After my explanation, he/she told me that he/she wanted to sign the consent to adoption.

5. I was present at and witnessed the signing of the consent.

Sworn/Affirmed before me at
municipality

in
province, state or country

on
date

Commissioner for taking affidavits
(Type or print name below if signature is illegible.)

Signature

(This form is to be signed in front of a
lawyer, justice of the peace, notary public
or commissioner for taking affidavits.)

Court File Number

(Name of court)

Form 34K: Certificate of Clerk (Adoption)at _____
Court office address**Applicant(s)**

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Respondent(s) [Note: In some adoption cases, there may be no formal respondent.]

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

If the appropriate box on the left cannot be checked, check the box on the right margin and describe the deficiency by the box

The clerk of the court certifies as follows:

	Deficiency
1. MATERIAL COMMON TO ALL ADOPTION CASES	
(a) <input type="checkbox"/> An application for adoption (Form 8D in <i>Family Law Rules</i>) has been filed.	1(a) <input type="checkbox"/>
(b) <input type="checkbox"/> A certified copy of the statement of live birth has been filed (Form 2 in regulation under <i>Vital Statistics Act</i>).	1(b) <input type="checkbox"/>
<input type="checkbox"/> A certified copy of a change of birth registration has been filed (Form 2 in regulation under <i>Vital Statistics Act</i>).	
<input type="checkbox"/> Equivalent proof of details of birth has been filed.	
(c) <input type="checkbox"/> The person to be adopted is 7 years of age or over and has filed a consent to adoption (Form 34 in <i>Family Law Rules</i>).	1(c) <input type="checkbox"/>
<input type="checkbox"/> A court order dispensing with the consent of the person to be adopted has been filed.	
(d) <input type="checkbox"/> An affidavit of parentage has been filed (Form 34A in <i>Family Law Rules</i>).	1(d) <input type="checkbox"/>
<input type="checkbox"/> Other evidence of who is or is not a "parent" has been filed.	
(e) <input type="checkbox"/> A report on the child's adjustment in the applicant's home:	1(e) <input type="checkbox"/>
<input type="checkbox"/> is required by the Act (where a child had been "placed" for adoption through a licensee, a society or otherwise). That report has been filed.	
<input type="checkbox"/> had been ordered by the court in the case of an adoption by a stepparent or relative. That report has been filed.	
<input type="checkbox"/> has not been required in this case.	
(f) <input type="checkbox"/> The applicant has a "spouse" who is not a "parent" and who has not joined in the application. That spouse's consent (Form 34B in <i>Family Law Rules</i>) has been filed.	1(f) <input type="checkbox"/>
<input type="checkbox"/> A court order dispensing with the spouse's consent has been filed, together with,	
(i) <input type="checkbox"/> proof of service of this order.	
(ii) <input type="checkbox"/> a certified copy of an order dispensing with service.	

Continued on other side. ➡

Form 34K: Certificate of Clerk (Adoption) (page 2)

Court file number

		<i>Deficiency</i>
(g)	<input type="checkbox"/> The Director's or local director's statement (with recommendations) on the adoption (Form 34C in <i>Family Law Rules</i>): <input type="checkbox"/> is required by the Act (where a child had been "placed" for adoption through a licensee, a society or otherwise). That statement has been filed. <input type="checkbox"/> had been ordered by the court in the case of an adoption by a stepparent or relative. That statement has been filed. <input type="checkbox"/> has not been required in this case.	1(g) <input type="checkbox"/>
(h)	<input type="checkbox"/> The affidavit of the adopting parent (Form 34D in <i>Family Law Rules</i>) has been filed.	1(h) <input type="checkbox"/>
(i)	<input type="checkbox"/> A draft adoption order (Form 25C in <i>Family Law Rules</i>) has been filed.	1(i) <input type="checkbox"/>
(j)	<input type="checkbox"/> This is a joint application by spouses and (i) <input type="checkbox"/> a certificate of the applicants' marriage has been filed. (ii) <input type="checkbox"/> other proof of the applicants' spousal status has been filed.	1(j) <input type="checkbox"/>
(k)	<input type="checkbox"/> (Other. Specify)	1(k) <input type="checkbox"/>
 2. ADDITIONAL MATERIAL FOR CROWN WARDSHIP ADOPTIONS		
(a)	<input type="checkbox"/> The Director's consent to adoption (Form 34E in <i>Family Law Rules</i>) has been filed.	2(a) <input type="checkbox"/>
(b)	<input type="checkbox"/> There is no outstanding access order with respect to this Crown ward. <input type="checkbox"/> A certified copy of an order terminating access to this Crown ward has been filed, together with, (i) <input type="checkbox"/> proof of service of this order. (ii) <input type="checkbox"/> a certified copy of an order dispensing with service.	2(b) <input type="checkbox"/>
(c)	<input type="checkbox"/> A certified copy of the Crown wardship order has been filed together with, (i) <input type="checkbox"/> proof of service of this order. (ii) <input type="checkbox"/> a certified copy of an order dispensing with service.	2(c) <input type="checkbox"/>
(d)	<input type="checkbox"/> An affidavit from the local director has been filed, stating that no appeal of the orders mentioned in clauses (b) and (c) above had been launched or that the appeal period had expired.	2(d) <input type="checkbox"/>
(e)	<input type="checkbox"/> (Other. Specify)	2(e) <input type="checkbox"/>
 3. ADDITIONAL MATERIAL FOR NON-WARD ADOPTION THROUGH LICENSEE OR SOCIETY		
(a)	<input type="checkbox"/> The child has been placed by a children's aid society. <input type="checkbox"/> The child has been placed by a licensee within the time frame allowed by his/her licence, a copy of which has been filed.	3(a) <input type="checkbox"/>
(b)	<input type="checkbox"/> An affidavit (Form 34G in <i>Family Law Rules</i>) of the licensee or of an authorized employee of the children's aid society has been filed.	3(b) <input type="checkbox"/>
(c)	<input type="checkbox"/> The person filing the affidavit knows of no custody or access order involving the child. <input type="checkbox"/> Certified copy/copies of the custody or access order(s) involving the child has/have been filed together with, (i) <input type="checkbox"/> proof of service of this order. (ii) <input type="checkbox"/> a certified copy of an order dispensing with service.	3(c) <input type="checkbox"/>

Continued on next sheet. ➡

Form 34K: Certificate of Clerk (Adoption) (page 3)

Court file number

		<i>Deficiency</i>
(d)	<input type="checkbox"/> A consent (Form 34F in <i>Family Law Rules</i>) to adoption from the child's mother has been filed. <input type="checkbox"/> The consent, which was signed by the mother when she was under 18 years of age, is accompanied by a certificate of the Children's Lawyer (Form 34J in <i>Family Law Rules</i>). <input type="checkbox"/> The child's mother has filed a form of consent from outside Ontario that is accompanied by: (i) <input type="checkbox"/> a certified translation of the document into English/French. (ii) <input type="checkbox"/> a lawyer's affidavit that the mother's consent complies with the laws of the place where the mother made it. <input type="checkbox"/> A certified copy of an order dispensing with the mother's consent has been filed, together with proof of service of the order.	3(d) <input type="checkbox"/>
(e)	<input type="checkbox"/> A consent (Form 34F in <i>Family Law Rules</i>) to adoption from the child's biological father has been filed. <input type="checkbox"/> The consent, which was signed by the father when he was under 18 years of age, is accompanied by a certificate of the Children's Lawyer (Form 34J in <i>Family Law Rules</i>). <input type="checkbox"/> The child's biological father has filed a form of consent from outside Ontario that is accompanied by: (i) <input type="checkbox"/> a certified translation of the document into English/French. (ii) <input type="checkbox"/> a lawyer's affidavit that the biological father's consent complies with the laws of the place where the biological father made it. <input type="checkbox"/> A certified copy of an order dispensing with the biological father's consent has been filed, together with proof of service of the order. <input type="checkbox"/> The court has ruled that the biological father does not have the status of "parent" under Part VII of the <i>Child and Family Services Act</i> .	3(e) <input type="checkbox"/>
(f)	<input type="checkbox"/> A consent (Form 34F in <i>Family Law Rules</i>) to adoption from any other person who is a "parent" under Part VII of the <i>Child and Family Services Act</i> has been filed. <input type="checkbox"/> The consent, which was signed by the other "parent" when he/she was under 18 years of age, is accompanied by a certificate of the Children's Lawyer (Form 34J in <i>Family Law Rules</i>). <input type="checkbox"/> This other "parent" has filed a form of consent from outside Ontario that is accompanied by: (i) <input type="checkbox"/> a certified translation of the document into English/French. (ii) <input type="checkbox"/> a lawyer's affidavit that the other "parent's" consent complies with the laws of the place where the other "parent" made it. <input type="checkbox"/> A certified copy of an order dispensing with the other "parent's" consent has been filed, together with proof of service of the order.	3(f) <input type="checkbox"/>
(g)	<input type="checkbox"/> (Other. Specify)	3(g) <input type="checkbox"/>

4. ADDITIONAL MATERIAL FOR ADOPTION BY RELATIVE OR STEPPARENT

- | | | |
|-----|--|-------------------------------|
| (a) | <input type="checkbox"/> There are no custody or access order involving the child.
<input type="checkbox"/> Certified copy/copies of the custody or access order(s) involving the child has/have been filed together with,
(i) <input type="checkbox"/> proof of service of this order.
(ii) <input type="checkbox"/> a certified copy of an order dispensing with service. | 4(a) <input type="checkbox"/> |
|-----|--|-------------------------------|

Continued on other side. ➡

Form 34K: Certificate of Clerk (Adoption) (page 4)

Court file number

		<i>Deficiency</i>
(b)	<input type="checkbox"/> A consent (Form 34F in <i>Family Law Rules</i>) to adoption from the child's mother has been filed.	4(b) <input type="checkbox"/>
	<input type="checkbox"/> The consent, which was signed by the mother when she was under 18 years of age, is accompanied by a certificate of the Children's Lawyer (Form 34J in <i>Family Law Rules</i>).	
	<input type="checkbox"/> The child's mother has filed a form of consent from outside Ontario that is accompanied by:	
	(i) <input type="checkbox"/> a certified translation of the document into English/French.	
	(ii) <input type="checkbox"/> a lawyer's affidavit that the mother's consent complies with the laws of the place where the mother made it.	
	<input type="checkbox"/> A certified copy of an order dispensing with the mother's consent has been filed, together with proof of service of the order.	
(c)	<input type="checkbox"/> A consent (Form 34F in <i>Family Law Rules</i>) to adoption from the child's biological father has been filed.	4(c) <input type="checkbox"/>
	<input type="checkbox"/> The consent, which was signed by the father when he was under 18 years of age, is accompanied by a certificate of the Children's Lawyer (Form 34J in <i>Family Law Rules</i>).	
	<input type="checkbox"/> The child's biological father has filed a form of consent from outside Ontario that is accompanied by:	
	(i) <input type="checkbox"/> a certified translation of the document into English/French.	
	(ii) <input type="checkbox"/> a lawyer's affidavit that the biological father's consent complies with the laws of the place where the biological father made it.	
	<input type="checkbox"/> A certified copy of an order dispensing with the biological father's consent has been filed, together with proof of service of the order.	
	<input type="checkbox"/> The court has ruled that the biological father does not have the status of "parent" under Part VII of the <i>Child and Family Services Act</i> .	
(d)	<input type="checkbox"/> A consent (Form 34F in <i>Family Law Rules</i>) to adoption from any other person who is a "parent" under Part VII of the <i>Child and Family Services Act</i> has been filed.	4(d) <input type="checkbox"/>
	<input type="checkbox"/> The consent, which was signed by the other "parent" when he/she was under 18 years of age, is accompanied by a certificate of the Children's Lawyer (Form 34J in <i>Family Law Rules</i>).	
	<input type="checkbox"/> This other "parent" has filed a form of consent from outside Ontario that is accompanied by:	
	(i) <input type="checkbox"/> a certified translation of the document into English/French.	
	(ii) <input type="checkbox"/> a lawyer's affidavit that the other "parent's" consent complies with the laws of the place where the other "parent" made it.	
	<input type="checkbox"/> A certified copy of an order dispensing with the other "parent's" consent has been filed, together with proof of service of the order.	
(e)	<input type="checkbox"/> The affidavit (Form 34H in <i>Family Law Rules</i>) of the stepparent or of each adopting relative has been filed.	4(e) <input type="checkbox"/>
(f)	<input type="checkbox"/> This is a stepparent adoption and the spouse of the adopting stepparent has filed a consent (Form 34I in <i>Family Law Rules</i>).	4(f) <input type="checkbox"/>
(g)	<input type="checkbox"/> (Other, Specify)	4(g) <input type="checkbox"/>

Signature of clerk of the court

Date of signature

Court File Number

(Name of court)

Form 36: Affidavit
for Divorceat _____
Court office address**Applicant**

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Respondent(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

My name is (full legal name)

I live in (municipality & province)

and I swear/affirm that the following is true:

1. I am the applicant in this divorce case.
2. There is no chance of a reconciliation between the respondent and me.
3. All the information in the application in this case is correct, except: (State any corrections or changes to the information in the application. Write "NONE" if there are no corrections or changes.)
4. ☐ The certificate or registration of my marriage to the respondent has been signed and sealed by the Registrar General of Ontario and
 - ☐ has been filed with the application.
 - ☐ is attached to this affidavit.☐ The certificate of my marriage to the respondent was issued outside Ontario. It is called (title of certificate) It was issued at (place of issue) on (date) by (name and title of person who issued certificate) and the information in it about my marriage is correct.
 - ☐ I have not been able to get a certificate or registration of my marriage. I was married to the respondent on (date) at (place of marriage) The marriage was performed by (name and title) who had the authority to perform marriages in that place.
5. The legal basis for the divorce is:
 - ☐ that the respondent and I have been separated for at least one year. We separated on (date)
 - ☐ (Other. Specify.)

Continued on other side. ➡

Form 36: Affidavit for Divorce (page 2)

Court file number

6. I do not know about and I am not involved in any arrangement to make up or to hide evidence or to deceive the court in this divorce case.

Strike out the following paragraphs if they do not apply.

7. I do not want to make a claim for a division of property in this divorce case, even though I know that it may be legally impossible to make such a claim after the divorce.
8. I want the divorce order to include the following paragraph numbers of the attached consent, settlement, separation agreement or previous court order: *(List the numbers of the paragraphs that you want included in the divorce order.)*

9. There are (number) children of the marriage. They are:

Full legal name of child	Birthdate (d,m,y)

10. The custody and access arrangements for the child(ren) are as follows: *(Give summary.)*

.....

.....

.....

.....

.....

.....

.....

.....

11. These are the arrangements that have been made for the support of the child(ren) of the marriage:

- (a) The income of the party paying child support is \$ per year.
- (b) The number of children for whom support is supposed to be paid is (number)
- (c) The amount of support that should be paid according to the applicable table in the child support guidelines is \$ per month.
- (d) The amount of child support actually being paid is \$ per month.
- (NOTE:— Where the dollar amounts in clauses (c) and (d) are different, you must fill out the frame on the next page. If the amounts in clauses (c) and (d) are the same, skip the frame and go directly to paragraph 12.)*

Continued on next sheet. ➡

Form 36: Affidavit for Divorce (page 3)

Court file number

(Paragraph 11 continued.)

Fill out the information in this frame only if the amounts in paragraphs 11(c) and 11(d) are different. If they are the same, go to paragraph 12.

(a) Child support is already covered by:

- (i) ☐ a court order dated (date) that was made before the child support guidelines came into effect (before 1 May 1997). I attach a copy of the order
- (ii) ☐ a domestic contract order dated (date) that was made before the child support guidelines came into effect (before 1 May 1997). I attach a copy of the contract
- (iii) ☐ a court order or written agreement dated (date) made after the guidelines came into effect that has some direct or indirect benefits for the child(ren). I attach a copy.
- (iv) ☐ a written consent between the parties dated (date) agreeing to the payment of an amount different from that set out in the guidelines.

(b) The child support clauses of this order or agreement require payment of \$ per in child support.

- (c) These child support clauses ☐ are not indexed for any automatic cost-of-living increases.
☐ are indexed according to (Give indexing formulae)

- (d) These child support clauses ☐ have not been changed since the day the order or agreement was made.
☐ have been changed on (Give dates and details of changes)

(e) (If you ticked off box (i) above, you can go to paragraph 12. If you ticked off boxes (ii), (iii) or (iv) above, then fill out the information after box of the corresponding number below. For example, if you ticked off box (ii) above, you would fill out the information alongside box (ii) below.)

- (ii) ☐ The amount being paid under this agreement is a fair and reasonable arrangement for the support of the child(ren) because: (Give reasons.)
- (iii) ☐ The order or agreement directly or indirectly benefits the child(ren) because: (Give details of benefits.)
- (iv) ☐ The amount to which the parties have consented is reasonable for the support of the child(ren) because: (Give reasons.)

Continued on other side. ➡

12. I am claiming costs in this case. The details of this claim are as follows: *(Give details.)*

13. The respondent's address last known to me is: *(Give address.)*

Put a line through any blank space left on this page.

Sworn/Affirmed before me at <div>municipality</div>		
in <div>province, state or country</div>		
on <div>date</div>		
Commissioner for taking affidavits <i>(Type or print name below if signature is illegible.)</i>		Signature <i>(This form is to be signed in front of a lawyer, justice of the peace, notary public or commissioner for taking affidavits.)</i>

Court File Number

(Name of court)

**Form 36A: Certificate
of Clerk (Divorce)**at _____
Court office addressApplicant's
last name:Respondent's
last name:

If the appropriate box on the left cannot be checked, check the box on the right margin and describe the deficiency by that box.
The clerk of the court certifies as follows:

Check if applicable and complete the rest
of the certificate as if the divorce had
been claimed by the applicant.

☐ Divorce claimed only by the respondent.

	<i>Deficiency</i>
1. PRELIMINARY	
(a) <input type="checkbox"/> No answer filed	1(a) <input type="checkbox"/>
<input type="checkbox"/> Answer was withdrawn — Continuing record tab/page number	
<input type="checkbox"/> Order dated, under subrule 12(6), splitting divorce from rest of the case — Continuing record tab/page number	
<input type="checkbox"/> Answer struck out by order dated — Continuing record tab/page number	
<input type="checkbox"/> Joint application — no respondent	
(b) <input type="checkbox"/> Clearance certificate from Central Divorce Registry	1(b) <input type="checkbox"/>
2. PROOF OF SERVICE	2 <input type="checkbox"/>
<input type="checkbox"/> Affidavit of service	
<input type="checkbox"/> Person's lawyer accepted service	
<input type="checkbox"/> Joint application — no service necessary	
3. METHOD OF SERVICE	3 <input type="checkbox"/>
<input type="checkbox"/> Left copy with person to be served	
<input type="checkbox"/> Left copy with person's lawyer	
<input type="checkbox"/> Mailed copy to person and received acknowledgement signed by person	
<input type="checkbox"/> Left copy at person's residence with adult resident and mailed another copy	
<input type="checkbox"/> Signed acknowledgement of service filed	
<input type="checkbox"/> (Other. Specify.)	
Service took place in (province or country)	
Service was carried out on (date)	
4. GROUNDS FOR DIVORCE	4 <input type="checkbox"/>
<input type="checkbox"/> Separation since (date), affidavit sworn more than one year after separation.	
<input type="checkbox"/> Adultery	
<input type="checkbox"/> Cruelty	
5. ONTARIO RESIDENCE	5 <input type="checkbox"/>
<i>Application should indicate that at least one spouse must have been Ontario resident for at least a year.</i>	
<input type="checkbox"/> Wife resident in Ontario since (date)	
<input type="checkbox"/> Husband resident in Ontario since (date)	
6. CLAIMS	6 <input type="checkbox"/>
<input type="checkbox"/> Only claim for divorce	
<input type="checkbox"/> Claim for child support [details in part 8 above]	
<input type="checkbox"/> Claim for custody/access — details in application	
<input type="checkbox"/> Claim for spousal support — details in application	
<input type="checkbox"/> Claim for property — details in application	
<input type="checkbox"/> Claim to include provisions of consent, agreement or previous court order — details in application	
<input type="checkbox"/> costs	

Continued on other side. ➡

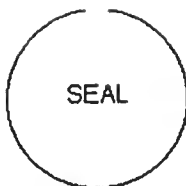
Form 36A: Certificate of Clerk (Divorce) (page 2)

Court file number

	<i>Deficiency</i>	
7. PROOF OF MARRIAGE	7	<input type="checkbox"/>
Marriage took place <input type="checkbox"/> in Canada <input type="checkbox"/> outside Canada		
<input type="checkbox"/> Marriage certificate or registration of marriage filed — details agree with those in application — Continuing record tab/page number		
<input type="checkbox"/> No certificate — details of marriage set out in affidavit — Continuing record tab/page number		
<input type="checkbox"/> Previous divorce or death certificate filed — Continuing record tab/page number		
8. AFFIDAVITS	8	<input type="checkbox"/>
<input type="checkbox"/> Applicant's affidavit — Continuing record tab/page number		
<input type="checkbox"/> Respondent's affidavit — Continuing record tab/page number		
<input type="checkbox"/> Affidavit of (name) — Continuing record tab/page number		
<input type="checkbox"/> Affidavit complies with Form 35 and is properly completed — Continuing record tab/page number		
9. CHILDREN	9	<input type="checkbox"/>
<input type="checkbox"/> No children of the marriage		
<input type="checkbox"/> There are children of the marriage		
<input type="checkbox"/> Child support guidelines information supplied — Continuing record tab/page number		
<input type="checkbox"/> payor's income		
<input type="checkbox"/> table amount		
<input type="checkbox"/> recipient's income [REQUIRED for special expenses (add-ons), split custody, shared custody, payor is stepparent, child over 18, payor's income more than \$150,000, claim of undue hardship]		
<input type="checkbox"/> details of special expenses (add-ons)		
<input type="checkbox"/> agreement/consent with explanation for claim less than table amount		
10. DRAFT ORDER	10	<input type="checkbox"/>
The following material has been filed:		
<input type="checkbox"/> 3 copies of draft order — no support claimed		
<input type="checkbox"/> 4 copies of draft order + 2 drafts of support deduction order — support claimed		
<input type="checkbox"/> Stamped envelope for each party		
<input type="checkbox"/> Address for service of order on respondent is same as		
<input type="checkbox"/> on application		
<input type="checkbox"/> on documents filed by respondent		
<input type="checkbox"/> in applicant's affidavit		
<input type="checkbox"/> Draft order in same terms as application		
<input type="checkbox"/> Draft order in same terms as consent, minutes of settlement, or agreement filed — Continuing record tab/page number		
<input type="checkbox"/> Request for early effective date for divorce; agreements and undertakings filed not to appeal — Continuing record tab/page number		
11. NOTICE TO APPLICANT	11	<input type="checkbox"/>
<input type="checkbox"/> Applicant notified of deficiencies but requests to submit papers to judge despite them.		

Signature of clerk of the court

Date of signature



(Name of court)

Court File Number

at _____
Court office address

.....
**Form 36B: Certificate
of Divorce**

Applicant

<p><i>Full legal name & address for service — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>	<p><i>Lewyer's name & address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>
--	--

Respondent(s)

<p><i>Full legal name & address for service — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>	<p><i>Lewyer's name & address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>
--	--

I CERTIFY THAT the marriage of *(full legal names of the spouses)*

that was solemnized at *(place of marriage)*

on *(date of marriage)*

was dissolved by an order of this court made on *(date of divorce order)*

The divorce took effect on *(date when order took effect)*

Signature of clerk of the court

Date of signature

NOTE: *This certificate can only be issued on or after the date on which the divorce takes effect.*

SEAL

(Name of court)

Court File Number

at

Court office address

Form 37: Notice of Confirmation Hearing

Applicant(s)

Full legal name & address for service — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Respondent(s)

Full legal name & address for service — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

TO THE RESPONDENT(S):

THE COURT WILL HOLD A HEARING on (date)
at a.m./p.m., or as soon as possible after that time at (place of hearing)

A provisional ☐ order ☐ change of an order
has been made against you ☐ In another part of Ontario ☐ outside Ontario
requiring you to pay support. The details are set out in the attached materials.

Within 10 days of getting this notice, you must fill out and file a financial statement (Form 13) with the court office.

At the hearing, the court will confirm the provisional order unless you convince the court that it should not be confirmed or that it should be confirmed in another amount. You may come to court with your own lawyer.

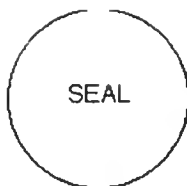
IF YOU DO NOT COME TO THE HEARING, THE COURT MAY CONFIRM THE PROVISIONAL ORDER WITHOUT YOU AND ENFORCE IT AGAINST YOU.

Signature of clerk of the court

Date of signature

NOTE: If the provisional order was made in another part of Ontario, a copy of the application should be attached to this notice, along with a copy of the applicant's financial statement, a copy of the provisional order and a copy of the transcript of the applicant's evidence. Also attached to this notice should be a blank Form 13 (Financial Statement) that you must fill out, serve and file. You may use any type of service allowed in rule 6 of the Family Law Rules, including mail, courier or fax.

If any of these documents is missing, you should talk to the court office as soon as possible.



(Name of court)

Court File Number

at _____
Court office address

**Form 37A: Information
Sheet (Confirmation
Hearing)**

Applicant(s)

<p><i>Full legal name & address for service — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>	<p><i>Lewyer's name & address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>
--	--

Respondent(s)

<p><i>Full legal name & address for service — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>	<p><i>Lewyer's name & address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p>
--	--

TO THE APPLICANT(S):

The respondent(s) was/were served with a notice of confirmation hearing.

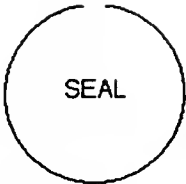
A copy of this notice is attached to this sheet. It is being sent to you **FOR YOUR INFORMATION ONLY.**

THERE IS NO NEED FOR YOU TO COME TO THIS CONFIRMATION HEARING OR TO HAVE A LAWYER THERE TO ARGUE YOUR CASE FOR YOU.

You will be told about what happens at the confirmation hearing through the court office in your own area. If you have any questions, you should talk to your own lawyer or to the court office in your area.

Signature of clerk of the court

Date of signature



(Name of court)

at _____

Court office address

Court File Number

.....

**Form 37B: Notice for
Taking Further
Evidence**

Applicant(s)

<i>Full legal name & address for service — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i>	<i>Lawyer's name & address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i>

Respondent(s)

<i>Full legal name & address for service — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i>	<i>Lawyer's name & address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i>

TO THE APPLICANT(S):
THE COURT WILL HOLD A HEARING on (date)
at a.m./p.m., or as soon as possible after that time at: (place of hearing)

- ☐ The provisional ☐ order in this case
- ☐ variation of the order made by the (name of confirming court)
- on (date)
- has come before a judge of the (name of court)
- ☐ The respondent has applied to the (name of court)
- for a variation of the order of the (name of confirming court)
- made on (date)

That other court has decided to give you a chance to give further evidence and has therefore sent this case to this court. The details are set out in the attached material.

If you want to: ☐ continue your application for support or for a change in support,

☐ oppose, in whole or in part, the respondent's request for change,

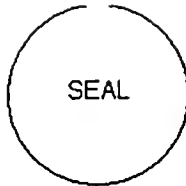
you should come to the hearing and give whatever evidence is appropriate. You may bring your own lawyer.

- IF YOU DO NOT COME TO THE HEARING, THE COURT MAY**
- ☐ CANCEL THE PROVISIONAL ORDER/VARIATION WITHOUT YOU.
- ☐ CONSIDER THE RESPONDENT'S REQUEST FOR A CHANGE WITHOUT YOU.

Signature of clerk of the court

Date of signature

NOTE: A copy of the respondent's evidence and a copy of the court's reasons for seeking further evidence should be attached to this notice. If either of these is missing, you should talk to the court office immediately.



Court File Number

(Name of court)

at

Court office address

**Form 37C: Notice of
Continuation of
Confirmation Hearing**

Applicant(s)

Full legal name & address for service — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Lawyer's name & address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Respondent(s)

Full legal name & address for service — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Lawyer's name & address — street and number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

TO THE RESPONDENT(S):

THE COURT WILL HOLD A HEARING on (date)
at a.m./p.m., or as soon as possible after that time at: (place of hearing)

The case before this court

- ☐ to confirm a provisional order/variation made by (name of originating court)
..... on (date of order)
- ☐ to review an order made by the (name of originating court)
..... on (date of order)

was adjourned on (date of adjournment order)
so that the case could be sent to the originating court for further evidence.

The originating court has now sent to this court additional evidence, a copy of which is attached. This court will therefore continue this case at the time and place shown above. You may bring your own lawyer.

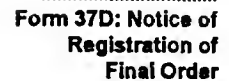
IF YOU DO NOT COME TO THE HEARING, THE COURT MAY:

- ☐ **CONFIRM THE PROVISIONAL ORDER/VARIATION WITHOUT YOU AND ENFORCE IT AGAINST YOU.**
- ☐ **DISMISS YOUR APPLICATION FOR VARIATION.**
- ☐ **ORDER YOU TO PAY THE COSTS.**

Signature of clerk of the court

Date of signature

NOTE: A copy of the applicant's further evidence taken before the originating court should be attached to this notice. If it is missing, you should talk to the court office immediately.



529

Court File Number

(Name of court)

**Form 38: Notice
of Appeal**at
Court office address**Applicant(s)**Check the appropriate box: ☐ Appellant ☐ Respondent in this appeal

Full legal name & address for service — street & number, municipality, postal code, telephone & fax and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Respondent(s)Check the appropriate box: ☐ Appellant ☐ Respondent in this appeal

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).	Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

My name is: (name of party making this appeal)

I APPEAL TO THE (name of court)

at (municipality)

from the following order or decision:

Date of order:

Name of court that made it:

Name of judge who made it:

Place where it was made:

It was: ☐ a final order. ☐ a temporary order.

I ask that this order be set aside and that an order be made as follows: (Set out briefly the order that you want the appeal court to make.)

Continued on other side. ➡

Form 38: Notice of Appeal (page 2)

Court file number

The legal grounds for my appeal are: *(Set out in numbered paragraphs the legal basis of your appeal.)*

Draw a line through any blank space on this page.
NOTE: You have 30 days to serve this notice on the other parties in the case and you must file it with the clerk of the appeal court with proof of service (Form 6B) within 10 days after that.

Signature

Date of signature

Court File Number

(Name of court)

**Form 39: Notice of
Approaching Dismissal**at _____
Court office address**Applicant(s)**Full legal name & address for service — street & number, municipality,
postal code, telephone & fax and e-mail address (if any).Lawyer's name & address — street & number, municipality, postal code,
telephone & fax numbers and e-mail address (if any).**Respondent(s)**Full legal name & address for service — street & number, municipality,
postal code, telephone & fax numbers and e-mail address (if any).Lawyer's name & address — street & number, municipality, postal code,
telephone & fax numbers and e-mail address (if any).**TO ALL PARTIES:****THE CLERK OF THE COURT WILL DISMISS THIS CASE WITHOUT FURTHER NOTICE** unless, within 30 days after service of this notice, one of the parties:

- (a) files an agreement signed by all parties and their lawyers, if any, for a final order disposing of all the issues in this case;
- (b) arranges a case conference or settlement conference for the first available date; or
- (c) obtains an order from a judge scheduling the case for trial or extending the time for scheduling it for trial.

This notice is sent under subrule 39(11) of the *Family Law Rules*._____
Signature of clerk of the court_____
Date of signature

Numéro de dossier du greffe

(Nom du tribunal)

**Formule 4 : Avis de
changement de
représentation**situé(e) au _____
Adresse du greffe**Requérant(e)(s)**

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Intimé(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

À TOUTES LES PARTIES ET À LEURS AVOCATS**DE (nom)**

Nom, adresse, numéros de téléphone et de télécopieur et adresse électronique

- ☐ J'ai choisi un(e) nouvel(le) avocat(e). Voir les précisions dans la boîte ci-contre. →
- ☐ J'ai décidé de me présenter au tribunal sans avocat. Les documents peuvent m'être signifiés à l'adresse figurant dans la boîte ci-contre. →
- ☐ J'ai obtenu la permission du tribunal de me faire représenter par une personne qui n'est pas un avocat. Voir la boîte ci-contre. Une copie de l'ordonnance du tribunal m'accordant la permission est jointe au présent avis.

Signature

Date de la signature

- REMARQUE :**
1. Vous devez signifier le présent avis aux avocats de toutes les autres parties. Si une autre partie n'a pas d'avocat, vous devez le signifier à la partie. Si vous avez été représenté(e) par un avocat ou une autre personne qui, en raison du présent avis, ne vous représentera plus, vous devez également le lui signifier.
 2. Vous pouvez procéder à la signification par toute méthode énoncée à la règle 6 des Règles en matière de droit de la famille, y compris par la poste, par messagerie et par télécopie.
 3. Après avoir signifié le présent avis, vous devez le déposer auprès du greffier du tribunal accompagné d'une preuve de sa signification (formule 6B).

_____ (Nom du tribunal)	Numéro de dossier du greffe		
Formule 6 : Accusé de réception de la signification			
situé(e) au _____ Adresse du greffe			
<p><i>Veillez remplir et signer la présente carte et la mettre à la poste immédiatement. Si vous ne la retournez pas, le ou les documents énumérés ci-dessous peuvent vous être signifiés à personne et il peut vous être ordonné de payer les frais de la signification.</i></p> <p>Je m'appelle : (nom et prénom officiels) Les documents peuvent m'être signifiés au : (adresse où les documents de procédure peuvent vous être envoyés)</p> <p>J'accuse réception d'une copie du ou des documents suivants :</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Demande datée du <input type="checkbox"/> Exemplaire de la formule de demande <input type="checkbox"/> État financier daté du <input type="checkbox"/> Exemplaire de la formule d'état financier <input type="checkbox"/> Défense datée du <input type="checkbox"/> Exemplaire de la formule de défense <input type="checkbox"/> Affidavit de (nom) daté du </td> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Avis de motion daté du <input type="checkbox"/> État des sommes dues daté du <input type="checkbox"/> (Autre. Donnez le titre et la date du document.) </td> </tr> </table>		<input type="checkbox"/> Demande datée du <input type="checkbox"/> Exemplaire de la formule de demande <input type="checkbox"/> État financier daté du <input type="checkbox"/> Exemplaire de la formule d'état financier <input type="checkbox"/> Défense datée du <input type="checkbox"/> Exemplaire de la formule de défense <input type="checkbox"/> Affidavit de (nom) daté du	<input type="checkbox"/> Avis de motion daté du <input type="checkbox"/> État des sommes dues daté du <input type="checkbox"/> (Autre. Donnez le titre et la date du document.)
<input type="checkbox"/> Demande datée du <input type="checkbox"/> Exemplaire de la formule de demande <input type="checkbox"/> État financier daté du <input type="checkbox"/> Exemplaire de la formule d'état financier <input type="checkbox"/> Défense datée du <input type="checkbox"/> Exemplaire de la formule de défense <input type="checkbox"/> Affidavit de (nom) daté du	<input type="checkbox"/> Avis de motion daté du <input type="checkbox"/> État des sommes dues daté du <input type="checkbox"/> (Autre. Donnez le titre et la date du document.)		
Signature	Date de la signature		
<p>REMARQUE : L'adresse que vous indiquez ci-dessus servira à l'avenir à vous signifier des documents par la poste jusqu'à ce que vous avisiez les autres parties et le greffe d'une nouvelle adresse aux fins de signification.</p>			

FORMULE 6A**ANNONCE**

[*Nom du tribunal*]

AVIS À : (*nom et prénom officiels*)

UNE CAUSE A ÉTÉ INTRODUITE CONTRE VOUS DEVANT LE TRIBUNAL situé au
(*adresse : numéro et rue, municipalité, code postal*)

La prochaine date d'audience est fixée au (*date*)
à (*heure*) ou dès que possible à la suite.

Le tribunal peut rendre une ordonnance dans le cadre de cette cause qui peut porter atteinte à vos droits. Vous pouvez obtenir de plus amples renseignements au sujet de la cause auprès du greffe situé au (*Écrivez «l'adresse ci-dessus» ou, si son adresse est différente, donnez le numéro et la rue, la municipalité et le code postal du greffe.*)

Vous pouvez également obtenir des renseignements au sujet de cette cause auprès de
(*nom, adresse et numéro de téléphone de la personne qui publie la présente annonce*).

**SI VOUS NE VOUS PRÉSENTEZ PAS AU TRIBUNAL, UN ORDONNANCE PEUT ÊTRE
RENDUE SANS VOUS ET ÊTRE EXÉCUTÉE CONTRE VOUS.**

Numéro de dossier du greffe

(Nom du tribunal)

Formule 6B : Affidavit de
signification daté du

situé(e) au

Adresse du greffe

Requérant(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).
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Intimé(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).
---	--

Je m'appelle (nom et prénom officiels)

J'habite à (municipalité et province)

et je déclare sous serment/j'affirme solennellement que les renseignements suivants sont véridiques :

1. Le (date), j'ai signifié à (nom du destinataire)
le ou les documents suivants dans cette cause :

Nom du document

Auteur (le cas échéant)

Date à laquelle le document a été signé, délivré ou
fait l'objet d'une déclaration sous serment.Énumérez les
documents
signifiés.

REMARQUE : Vous pouvez laisser en blanc toute partie non applicable de la présente formule.

2. J'ai signifié les documents mentionnés au point 1 :

Cochez une
seule case et
passez au point
indiqué.

- ☐ par voie de signification spéciale. (Passez au point 3 ci-dessous.)
☐ par la poste. (Passez au point 4.)
☐ par messagerie. (Passez au point 5.)
☐ par voie de dépôt à un centre de distribution de documents. (Passez au point 6.)
☐ par télécopie. (Passez au point 7.)
☐ par voie de signification indirecte ou par publication d'une annonce. (Passez au point 8.)

3. J'ai signifié le ou les documents à la personne mentionnée au point 1 par voie de signification spéciale à (lieu ou adresse) :

Cochez une
seule case.
Biffez les points
4 à 8 et passez
au point 9.

- ☐ en en remettant une copie à la personne.
☐ en en remettant une copie à (nom)
☐ qui est l'avocat(e) de la personne et qui a accepté la signification en son nom.
☐ qui est (charge ou poste) de la société mentionnée au point 1.
☐ en en envoyant une copie par la poste à la personne, accompagnée d'une carte postale de réponse

Sulte à la page suivante ➡

Formule 6B : Affidavit de
signification daté du (page 2)

Numéro de dossier du greffe

affranchie rédigée selon la formule 6, dans une enveloppe portant l'adresse de l'expéditeur. Cette carte, dans laquelle il est accusé réception du ou des documents, a été retournée et est jointe au présent affidavit.

- ☐ en en laissant une copie au domicile de la personne, dans une enveloppe scellée adressée à celle-ci, entre les mains de (nom) , qui m'a présenté une pièce d'identité prouvant qu'il ou elle était une personne majeure habitant sous le même toit, et en en envoyant par la poste, le même jour ou le lendemain, une autre copie à la personne mentionnée au point 1 au même domicile.
- ☐ (Autre méthode. Voir le règle 6 pour obtenir des précisions.)

4. J'ai envoyé par la poste le ou les documents à signifier en adressant l'enveloppe à la personne mentionnée au point 1 à l'adresse suivante : (Indiquez l'adresse)

- qui est celle
Cochez la case
appropriée et biffez
les points 3, 5, 6,
7, 8 et 9.
- ☐ du lieu de travail de la personne.
☐ de l'avocat(e) de la personne.
☐ du domicile de la personne.
☐ figurant sur le document déposé le plus récemment au tribunal par la personne.
☐ (Autre, précisez)

5. Le ou les documents à signifier ont été placés dans une enveloppe qui a été ramassée à (heure) la (date)
..... par (nom du service de messagerie)

service de messagerie privé, dont une copie de l'accusé de réception est jointe au présent affidavit. L'enveloppe était adressée à la personne mentionnée au point 1 à l'adresse suivante : (Indiquez l'adresse)

- qui est celle
Cochez la case appropriée
et biffez les points 3, 4, 6, 7,
8 et 9.
- ☐ du lieu de travail de la personne.
☐ de l'avocat(e) de la personne.
☐ du domicile de la personne.
☐ figurant sur le document déposé le plus récemment au tribunal par la personne.
☐ (Autre, précisez)

6. Le ou les documents ont été déposés à un centre de distribution de documents. Le timbre dateur du centre qui figure sur la copie ci-jointe indique la date du dépôt. (Biffez les points 3, 4, 5, 7, 8 et 9.)

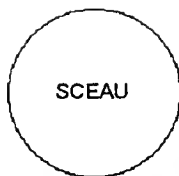
7. Le ou les documents à signifier ont été envoyés par télécopie. La confirmation de la télécopie est jointe au présent affidavit. (Biffez les points 3, 4, 5, 6, 8 et 9.)

8. Une ordonnance de ce tribunal rendue le (date) a permis
☐ la signification indirecte.
☐ la signification par publication d'une annonce. (Joignez l'avis.)

L'ordonnance a été exécutée comme suit : (Précisez, puis passez au point 9 si vous avez dû vous déplacer pour effectuer la signification).

9. Pour signifier le ou les documents, j'ai dû parcourir kilomètres. Mes frais sont de \$, y compris le déplacement.

Déclaré sous serment/Affirmé solennellement devant moi à municipalité	
en/à/au province, État ou pays	
le date	Signature (La présente formule doit être signée en présence d'un avocat, d'un juge de paix, d'un notaire ou d'un commissaire aux affidavits.)
Commissaire aux affidavits (Dactylographiez le nom ou écrivez-le en caractères d'imprimerie ci-dessous si la signature est illisible)	



(Nom du tribunal)

Numéro de dossier du greffe

.....

**Formule 8 : Requête
(formule générale)**

situé(e) au _____
Adresse du greffe

Requérant(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Intimé(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

À L'AUX INTIMÉ(E)(S) :

UNE CAUSE A ÉTÉ INTRODUITE CONTRE VOUS DEVANT CE TRIBUNAL. LES PRÉCISIONS À CE SUJET FIGURENT SUR LES PAGES CI-JOINTES.

☐ LA PREMIÈRE DATE D'AUDIENCE EST FIXÉE AU
(date) À (heure), ou dès que
possible par la suite, au : (adresse)

REMARQUE : S'il s'agit d'une
cause de divorce, aucune date
ne sera fixée à moins qu'une
défense ne soit déposée.

Si un avis de motion vous a également été signifié, une date d'audience antérieure peut être fixée et vous ou votre avocat devriez vous présenter au tribunal pour l'audition de la motion.

☐ CETTE CAUSE EST RÉGIE PAR LA VOIE ACCÉLÉRÉE DU SYSTÈME DE GESTION DES CAUSES. Un juge responsable de la gestion de la cause y sera affecté avant qu'un juge n'en soit saisi pour la première fois.

☐ CETTE CAUSE EST RÉGIE PAR LA VOIE ORDINAIRE DU SYSTÈME DE GESTION DES CAUSES. Aucune date d'audience n'a été fixée, mais si un avis de motion vous a été signifié, il porte une date d'audience et vous ou votre avocat devriez vous présenter au tribunal pour l'audition de la motion. Un juge responsable de la gestion de la cause sera affecté à la cause uniquement lorsque le greffier du tribunal aura fixé une date pour la tenue d'une conférence relative à la cause à la demande d'une partie ou qu'un avis de motion prévu au paragraphe 14 (5) aura été signifié avant la tenue d'une conférence relative à la cause. Si la date du procès n'a pas été fixée après 200 jours, le greffier du tribunal enverra un avertissement aux parties selon lequel la cause sera rejetée dans les 30 jours à moins qu'elles ne déposent la preuve que la cause a été réglée ou à moins que l'une d'elles ne demande la tenue d'une conférence relative à la cause ou d'une conférence en vue d'un règlement amiable.

SI VOUS DÉSIREZ VOUS OPPOSER À UNE DEMANDE DANS LA PRÉSENTE CAUSE, vous ou votre avocat devez préparer une *Défense* (formule 10 — un exemplaire devrait être joint), en signifier une copie aux requérants et en déposer une copie au greffe, accompagnée d'un *Affidavit de signification* (formule 6B). VOUS NE DISEZ QUE DE 30 JOURS APRÈS QUE LA PRÉSENTE REQUÊTE VOUS EST SIGNIFIÉE (60 JOURS SI ELLE VOUS EST SIGNIFIÉE À L'EXTÉRIEUR DU CANADA OU DES ÉTATS-UNIS) POUR SIGNIFIER ET DÉPOSER UNE DÉFENSE. SI VOUS NE LE FAITES PAS, LA CAUSE SE POURSUIVRA SANS VOUS ET LE TRIBUNAL PEUT RENDRE UNE ORDONNANCE ET L'EXÉCUTER CONTRE VOUS.

Cochez la case
ci-contre s'il y a
lieu.

☐ Cette cause comprend une demande d'aliments ou une demande portant sur des biens. Vous **DEVEZ** remplir un *État financier* (formule 13 — un exemplaire est joint), en signifier une copie aux requérants et en déposer une copie au greffe, accompagnée d'un *Affidavit de signification*, même si vous ne présentez pas de défense dans cette cause.

Si vous désirez présenter votre propre demande, vous ou votre avocat devez remplir la section réservée à la demande dans la *Défense*, en signifier une copie aux requérants et en déposer une copie au greffe, accompagnée d'un *Affidavit de signification*.

Vous devriez obtenir des conseils juridiques au sujet de cette cause immédiatement. Si vous n'avez pas les moyens de payer un avocat, le bureau d'aide juridique de votre localité pourra peut-être vous aider. (Consultez l'annuaire téléphonique sous la rubrique *Aide juridique*).

Date de délivrance

Greffier du tribunal

Suite à la page suivante ➡

Formule 8 : Requête (formule générale) (page 2)

Numéro de dossier du greffe.

ANTÉCÉDENTS FAMILIAUX

REQUÉRANT(E) : Âge : Date de naissance :
 Domicilié(e) à (municipalité et province)
 depuis le (date)
 Nom de famille à la naissance : Nom de famille immédiatement avant le mariage :
 Déjà divorcé(e)? ☐ Non ☐ Oui (Lieu et date du divorce précédent)

INTIMÉ(E) : Âge : Date de naissance :
 Domicilié(e) à (municipalité et province)
 depuis le (date)
 Nom de famille à la naissance : Nom de famille immédiatement avant le mariage :
 Déjà divorcé(e)? ☐ Non ☐ Oui (Lieu et date du divorce précédent)

LIEN AVEC L'AUTRE PARTIE :

- ☐ Nous nous sommes mariés le (date) ☐ Nous avons commencé à vivre ensemble le (date)
☐ Nous nous sommes séparés le (date) ☐ Nous n'avons jamais vécu ensemble
☐ Nous sommes toujours ensemble

ENFANT(S) :

Énumérez tous les enfants concernés dans cette cause, même si aucune demande n'est présentée à leur égard.

Nom et prénom officiels	Âge	Date de naissance	Domicilié(e) à (municipalité et province)	Habite actuellement avec (nom de la personne et lien de parenté avec l'enfant)

CAUSES OU ACCORDS ANTÉRIEURS

Les parties ou les enfants ont-ils déjà pris part à une cause judiciaire?

- ☐ Non ☐ Oui (Joignez un résumé des causes — formule 8E.)

Les parties ont-elles conclu un accord écrit au sujet d'une question en litige dans cette cause?

- ☐ Non ☐ Oui (Indiquez la date de l'accord et les conditions de celle-ci qui sont en litige. Joignez des pages supplémentaires au besoin.)

Suite à la page suivante ➡

Formule 8 : Requête (formule générale) (page 3)

Numéro de dossier du greffe.

DEMANDE DU/DE LA REQUÉRANT(E)

JE DEMANDE AU TRIBUNAL CE QUI SUIT :

(Les demandes ci-dessous comprennent les demandes d'ordonnance temporaire)

Demandes visées par la Loi sur le divorce <i>Cochez les cases de la présente colonne uniquement si vous demandez un divorce</i>	Demandes visées par la Loi sur le droit de la famille ou la Loi portant réforme du droit de l'enfance	Demandes portant sur des biens
00 <input type="checkbox"/> un divorce	10 <input type="checkbox"/> des aliments pour moi-même	20 <input type="checkbox"/> l'égalisation des biens familiaux nets
01 <input type="checkbox"/> des aliments pour moi-même	11 <input type="checkbox"/> des aliments pour un ou plusieurs enfants	21 <input type="checkbox"/> la possession exclusive du foyer conjugal
02 <input type="checkbox"/> des aliments pour un ou plusieurs enfants	12 <input type="checkbox"/> la garde d'un ou de plusieurs enfants	22 <input type="checkbox"/> la possession exclusive du contenu du foyer conjugal
03 <input type="checkbox"/> la garde d'un ou de plusieurs enfants	13 <input type="checkbox"/> le droit de visite à un ou plusieurs enfants	23 <input type="checkbox"/> le gel des avoirs
04 <input type="checkbox"/> le droit de visite à un ou plusieurs enfants	14 <input type="checkbox"/> une ordonnance de ne pas faire/de non-harcèlement	24 <input type="checkbox"/> la vente de biens familiaux
	15 <input type="checkbox"/> une indexation des aliments du conjoint	Autres demandes
	16 <input type="checkbox"/> une déclaration de liens de filiation	30 <input type="checkbox"/> les dépens
	17 <input type="checkbox"/> une tutelle à l'égard des biens d'un enfant	31 <input type="checkbox"/> l'annulation du mariage
		32 <input type="checkbox"/> les intérêts antérieurs au jugement

50 ☐ (Autre, précisez)

Donnez des précisions au sujet de l'ordonnance que vous demandez au tribunal. (Indiquez les montants des aliments (s'ils sont connus) et le nom des enfants à l'égard desquels des aliments, la garde ou le droit de visite sont demandés.)

Suite à la page suivante ➡

Formule 8 : Requête (formule générale) (page 4)

Numéro de dossier du greffe.

FAITS IMPORTANTS À L'APPUI DE MA REQUÊTE EN DIVORCE

- ☐ **Séparation** : Les conjoints sont séparés depuis le (date) et
- ☐ n'ont pas vécu ensemble depuis ce temps dans une vaine tentative de réconciliation.

☐ ont vécu ensemble pendant la ou les périodes suivantes dans une vaine tentative de réconciliation :
(précisez les dates.)
- ☐ **Adultère** : L'intimé(e) a commis l'adultère. (Précisez. Il n'est pas nécessaire de nommer une autre personne, mais si vous le faites, vous devez alors lui signifier la présente requête.)
- ☐ **Cruauté** : L'intimé(e) a fait preuve d'une telle cruauté physique ou mentale à l'égard du/de la requérant(e) que la cohabitation est devenue intolérable. (Précisez.)

FAITS IMPORTANTS À L'APPUI DE MES AUTRES DEMANDES

(Énoncez ci-dessous les faits qui constituent le fondement juridique de vos autres demandes. Joignez des pages supplémentaires au besoin.)

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page

Signature du/de la requérant(e)

Date de la signature

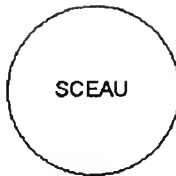
Causes de divorce seulement

ATTESTATION DE L'AVOCAT

Je m'appelle :
et je suis l'avocat(e) du/de la requérant(e) dans cette cause de divorce. J'atteste m'être conformé(e) aux exigences de l'article 9 de la Loi sur le divorce.

Signature de l'avocat(e)

Date de la signature



(Nom du tribunal)

Numéro de dossier du greffe

situé(e) au _____
Adresse du greffe

**Formule 8A : Requête
en divorce**

- ☐ conjointe
☐ individuelle

Requérant(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Intimé(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

- ☐ CETTE CAUSE CONSTITUE UNE REQUÊTE CONJOINTE EN DIVORCE. LES PRÉCISIONS FIGURENT SUR LES PAGES CI-JOINTES. La requête et les affidavits à l'appui seront présentés à un juge lorsque les documents auront été vérifiés pour s'assurer qu'ils sont complets.

- ☐ IL S'AGIT D'UNE CAUSE DANS LAQUELLE LE/LA REQUÉRANT(E) NE DEMANDE QUE LE DIVORCE.

À L'AUX INTIMÉ(E)(S) :

UNE CAUSE DE DIVORCE A ÉTÉ INTRODUITE CONTRE VOUS DEVANT CE TRIBUNAL. LES PRÉCISIONS FIGURENT SUR LES PAGES CI-JOINTES.

- ☐ La première date d'audience sera fixée par le greffier du tribunal une fois qu'une défense (formule 10) est signifiée et déposée.

SI VOUS DÉSIREZ ÊTRE AVISÉ(E) DE LA DATE D'AUDIENCE, vous ou votre avocat devez préparer une défense (formule 10 — un exemplaire devrait être joint), en signifier une copie aux requérants et en déposer une copie au greffe, accompagnée d'un affidavit de signification (formule 5B).

- ☐ CETTE CAUSE EST RÉGIE PAR LA VOIE ORDINAIRE DU SYSTÈME DE GESTION DES CAUSES. Aucune date d'audience n'a été fixée, mais si un avis de motion vous a été signifié, il porte une date d'audience et vous ou votre avocat devriez vous présenter au tribunal pour l'audition de la motion. Un juge responsable de la gestion de la cause sera affecté à la cause uniquement lorsque le greffier du tribunal aura fixé une date pour la tenue d'une conférence relative à la cause à la demande d'une partie ou qu'un avis de motion prévu au paragraphe 14 (5) aura été signifié avant la tenue d'une conférence relative à la cause. Si la date du procès n'a pas été fixée après 200 jours, le greffier du tribunal enverra un avertissement aux parties selon lequel la cause sera rejetée dans les 30 jours à moins qu'elles ne déposent la preuve que la cause a été réglée ou à moins que l'une d'elles ne demande la tenue d'une conférence relative à la cause ou d'une conférence en vue d'un règlement amiable.

SI VOUS DÉSIREZ VOUS OPPOSER À UNE DEMANDE DANS CETTE CAUSE, vous ou votre avocat devez préparer une défense (formule 10 — un exemplaire devrait être joint), en signifier une copie au/à la requérant(e) et en déposer une copie au greffe, accompagnée d'un affidavit de signification (formule 5B).

VOUS NE DISPOSEZ QUE DE 30 JOURS APRÈS QUE LA PRÉSENTE REQUÊTE VOUS EST SIGNIFIÉE (60 JOURS SI ELLE VOUS EST SIGNIFIÉE À L'EXTÉRIEUR DU CANADA OU DES ÉTATS-UNIS) POUR SIGNIFIER ET DÉPOSER UNE DÉFENSE. SI VOUS NE LE FAITES PAS, LA CAUSE SE POURSUIVRA SANS VOUS ET LE TRIBUNAL PEUT RENDRE UNE ORDONNANCE ET L'EXÉCUTER CONTRE VOUS.

SI VOUS DÉSIREZ PRÉSENTER VOTRE PROPRE DEMANDE, vous ou votre avocat devez remplir la section réservée à la demande dans la défense, en signifier une copie au/à la requérant(e) et en déposer une copie au greffe, accompagnée d'un affidavit de signification.

Vous devriez obtenir des conseils juridiques au sujet de cette cause immédiatement. Si vous n'avez pas les moyens de payer un avocat, le bureau d'aide juridique de votre localité pourra peut-être vous aider. (Consultez l'annuaire téléphonique sous la rubrique Aide juridique).

Date de délivrance

Greffier du tribunal

Suite à la page suivante ➡

Formule 8A : Requête en divorce (conjointe/individuelle) (page 2) Numéro de dossier du greffe.

ANTÉCÉDENTS FAMILIAUX

ÉPOUX : Âge : Date de naissance :
 Domicilié à (municipalité et province)
 depuis le (date)
 Nom de famille à la naissance : Nom de famille immédiatement avant le mariage :
 Déjà divorcé? ☐ Non ☐ Oui (Lieu et date du divorce précédent)

ÉPOUSE : Âge : Date de naissance :
 Domiciliée à (municipalité et province)
 depuis le (date)
 Nom de famille à la naissance : Nom de famille immédiatement avant le mariage :
 Déjà divorcée? ☐ Non ☐ Oui (Lieu et date du divorce précédent)

LIEN AVEC L'AUTRE PARTIE

☐ Nous nous sommes mariés le (date) ☐ Nous avons commencé à vivre ensemble le (date)
☐ Nous nous sommes séparés le (date) ☐ Nous n'avons jamais vécu ensemble

ENFANT(S) :

Énumérez tous les enfants concernés dans cette cause, même si aucune demande n'est présentée à leur égard.

Nom et prénom officiels	Âge	Date de naissance	Domicilié(e) à (municipalité et province)	Habite actuellement avec (nom de la personne et lien de parenté avec l'enfant)

CAUSES OU ACCORDS ANTÉRIEURS

Les parties ou les enfants ont-ils déjà pris part à une cause judiciaire?

☐ Non ☐ Oui (Joignez un résumé des causes — formule 8E.)

Les parties ont-elles conclu un accord écrit au sujet d'une question en litige dans cette cause?

☐ Non ☐ Oui (Indiquez la date de l'accord et les conditions de celle-ci qui sont en litige. Joignez des pages supplémentaires au besoin.)

Suite à la page suivante ➡

Formule 8A : Requête en divorce (conjointe/individuelle) (page 3) Numéro de dossier du greffe.

DEMANDES

UTILISEZ LE PRÉSENT BLOC UNIQUEMENT SI LA CAUSE CONSISTE EN UNE REQUÊTE CONJOINTE EN DIVORCE.

NOUS DEMANDONS CONJOINTEMENT AU TRIBUNAL CE QUI SUIT :

Demandes visées par la *Loi sur le divorce*

- 00 ☒ un divorce
- 01 ☐ des aliments pour le conjoint
- 02 ☐ des aliments pour un ou plusieurs enfants
- 03 ☐ la garde d'un ou de plusieurs enfants
- 04 ☐ le droit de visite à un ou plusieurs enfants

Demandes visées par la *Loi sur le droit de la famille* ou la *Loi portant réforme du droit de l'enfance*

- 10 ☐ des aliments pour le conjoint
- 11 ☐ des aliments pour un ou plusieurs enfants
- 12 ☐ la garde d'un ou de plusieurs enfants
- 13 ☐ le droit de visite à un ou plusieurs enfants
- 14 ☐ une ordonnance de ne pas faire/de non-harcèlement
- 15 ☐ une indexation des aliments du conjoint
- 16 ☐ une déclaration de liens de filiation
- 17 ☐ une tutelle à l'égard des biens d'un enfant

Demandes portant sur des biens

- 20 ☐ l'égalisation des biens familiaux nets
- 21 ☐ la possession exclusive du foyer conjugal
- 22 ☐ la possession exclusive du contenu du foyer conjugal
- 23 ☐ le gel des avoirs
- 24 ☐ la vente de biens familiaux

Autres demandes

- 30 ☐ les dépens
- 31 ☐ l'annulation du mariage
- 32 ☐ les intérêts antérieurs au jugement
- 50 ☐ (Autre, précisez)

UTILISEZ LE PRÉSENT BLOC UNIQUEMENT SI LE/LA REQUÉRANT(E) DANS CETTE CAUSE NE DEMANDE QU'UN DIVORCE.

JE DEMANDE AU TRIBUNAL CE QUI SUIT :

- 00 ☒ un divorce

(cochez s'il y a lieu)

- 30 ☐ les dépens

FAITS IMPORTANTS À L'APPUI DE LA DEMANDE DE DIVORCE

- ☐ **Séparation** : Les conjoints sont séparés depuis le (date) et
- ☐ n'ont pas vécu ensemble depuis ce temps dans une vaine tentative de réconciliation.
- ☐ ont vécu ensemble pendant la ou les périodes suivantes dans une vaine tentative de réconciliation :
(Précisez les dates.)
- ☐ **Adultère** : (Nom du conjoint) a commis l'adultère.
(Précisez. Il n'est pas nécessaire de nommer une autre personne, mais si vous le faites, vous devez alors lui signifier la présente requête.)
- ☐ **Cruauté** : (Nom du conjoint) a fait preuve d'une telle cruauté physique ou mentale à l'égard de (nom du conjoint) que la cohabitation est devenue intolérable. (Précisez.)

Suite à la page suivante ➡

Formule 8A : Requête en divorce (conjointe/individuelle) (page 4) Numéro de dossier du greffe.

UTILISEZ LE PRÉSENT BLOC UNIQUEMENT SI CETTE CAUSE CONSISTE EN UNE REQUÊTE CONJOINTE EN DIVORCE.

Les détails de l'autre ou des autres ordonnances que nous demandons conjointement au tribunal sont les suivants : (Veuillez inclure les montants des aliments et le nom des enfants à l'égard desquels des aliments, la garde ou le droit de visite doivent faire l'objet d'une ordonnance.)

FAITS IMPORTANTS À L'APPUI DE NOS DEMANDES

(Énoncez ci-dessous les faits qui constituent le fondement juridique de vos demandes. Joignez des pages supplémentaires au besoin.)

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page.

S'il s'agit d'une requête conjointe en divorce, la signature de chaque conjoint doit figurer ci-dessous. Par contre, s'il s'agit d'une requête dans laquelle le/la requérant(e) ne demande que le divorce, vous et votre avocat êtes les seuls à devoir signer et vous devriez biffer en conséquence l'espace réservé à la signature de votre conjoint et à la date correspondante.

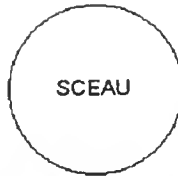
Signature de l'époux Date de la signature

Signature de l'épouse Date de la signature

ATTESTATION DE L'AVOCAT

Je m'appelle :
et je suis l'avocat(e) de (nom) dans cette cause de divorce. J'atteste m'être conformé(e) aux exigences de l'article 9 de la Loi sur le divorce.

Signature de l'avocat(a) Date de la signature



(Nom du tribunal)
situé(e) au _____
Adresse du greffe

Numéro de dossier du greffe

.....
Formule 8B : Requête
(protection d'un enfant
et révision de statut)

Requérant(e)(s) [Dans la plupart des causes portant sur la protection d'un enfant, le/la requérant(e) sera une société d'aide à l'enfance.]

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Intimé(e)(s) [Dans la plupart des causes portant sur la protection d'un enfant, l'intimé(e) sera un «père» ou une «mère» au sens de l'article 37 de la Loi sur les services à l'enfance et à la famille.]

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

À L'AUX INTIMÉ(E)(S) :

UNE CAUSE A ÉTÉ INTRODUITE CONTRE VOUS DEVANT CE TRIBUNAL. LES PRÉCISIONS À CE SUJET FIGURENT SUR LES PAGES CI-JOINTES.

LA PREMIÈRE DATE D'AUDIENCE EST FIXÉE AU (date) À (heure) , ou dès que possible par la suite, au : (adresse)

Si un avis de motion vous a également été signifié, une date d'audience antérieure peut être fixée et vous ou votre avocat devriez vous présenter au tribunal pour l'audition de la motion.

SI VOUS DÉSIREZ VOUS OPPOSER À UNE DEMANDE DANS CETTE CAUSE, vous ou votre avocat devez préparer une *Défense* (formule 10 — un exemplaire devrait être joint), en signifier une copie à la société d'aide à l'enfance et à toutes les autres parties et en déposer une copie au greffe, accompagnée d'un *Affidavit de signification* (formule 6B). VOUS NE DISEZ PAS QUE DE 30 JOURS APRÈS QUE LA PRÉSENTE REQUÊTE VOUS EST SIGNIFIÉE (60 JOURS SI ELLE VOUS EST SIGNIFIÉE À L'EXTÉRIEUR DU CANADA OU DES ÉTATS-UNIS) POUR SIGNIFIER ET DÉPOSER UNE DÉFENSE. SI VOUS NE LE FAITES PAS, LA CAUSE SE POURSUIVRA SANS VOUS ET LE TRIBUNAL PEUT RENDRE UNE ORDONNANCE ET L'EXÉCUTER CONTRE VOUS.

Cochez la case ☐ La société d'aide à l'enfance demande également des aliments pour les enfants. Vous DEVEZ remplir un *État ci-contre s'il y a lieu* financier (formule 13 — un exemplaire est joint), en signifier une copie à la société et en déposer une copie au greffe, accompagnée d'un *Affidavit de signification*, même si vous ne présentez pas de défense dans cette cause.

AVERTISSEMENT : Les règles de gestion des causes s'appliquent à cette cause, qui est donc régie par un calendrier. D'après ce calendrier, les étapes suivantes doivent être menées à bien dans les délais indiqués à compter de l'introduction de la cause :

Audience sur les soins et la garde temporaires	25 jours	Conférence en vue d'un règlement amiable	80 jours
Signification et dépôt du programme de soins	33 jours	Audience portant sur la protection ou	
Conférence relative à la cause	40 jours	révision de statut	120 jours

Vous devriez songer à obtenir des conseils juridiques au sujet de cette cause immédiatement. Si vous n'avez pas les moyens de payer un avocat, le bureau d'aide juridique de votre localité pourra peut-être vous aider. (Consultez l'annuaire téléphonique sous la rubrique *Aide juridique*).

Date de délivrance

Greffier du tribunal

Suite à la page suivante ➔

Formule 8B : Requête (protection d'un enfant et révision de statut) (page 2)

Numéro de dossier du greffe

ENFANT(S) : (Énumérez tous les enfants concernés dans cette cause.)

Nom et prénom officiels de l'enfant	Date de naissance	Âge	Sexe	Nom et prénom officiels de la mère	Nom et prénom officiels du père	Religion de l'enfant	Statut de l'enfant autochtone

DEMANDE DE LA SOCIÉTÉ

1. La société d'aide à l'enfance demande au tribunal de faire une constatation aux termes de la partie III de la *Loi sur les services à l'enfance et à la famille* selon laquelle l'enfant ou les enfants nommés dans la présente requête

☐ ont ☐ continuent d'avoir

besoin de protection pour les raisons suivantes :

(Cochez la ou les cases appropriées, en biffant dans chaque paragraphe coché les parties du texte qui ne sont pas pertinentes.)

- ☐ l'enfant ou les enfants ont subi des maux physiques infligés par la personne qui en est responsable ou causés par le défaut de cette personne de leur fournir des soins, de subvenir à leurs besoins, de les surveiller et de les protéger convenablement [alinéa 37 (2) a)].
- ☐ l'enfant ou les enfants risquent vraisemblablement de subir des maux physiques infligés par la personne qui en est responsable ou causés par le défaut de cette personne de leur fournir des soins, de subvenir à leurs besoins, de les surveiller et de les protéger convenablement [alinéa 37 (2) b)].
- ☐ l'enfant ou les enfants ont subi une atteinte aux mœurs ou ont été exploités sexuellement par la personne qui en est responsable ou par une autre personne et la personne qui en est responsable sait ou devrait savoir qu'il existe des dangers d'atteinte aux mœurs ou d'exploitation sexuelle et ne les protège pas [alinéa 37 (2) c)].
- ☐ l'enfant ou les enfants risquent vraisemblablement de subir une atteinte aux mœurs ou d'être exploités sexuellement par la personne qui en est responsable ou par une autre personne et la personne qui en est responsable sait ou devrait savoir qu'il existe des dangers d'atteinte aux mœurs ou d'exploitation sexuelle et ne les protège pas [alinéa 37 (2) d)].
- ☐ l'enfant ou les enfants ont besoin d'un traitement médical en vue de guérir, de prévenir ou de soulager des maux physiques ou leur douleur, et leur père ou leur mère ou la personne qui en est responsable ne fournit pas le traitement, refuse ou n'est pas en mesure de donner son consentement à ce traitement, ou n'est pas disponible pour le faire [alinéa 37 (2) e)].
- ☐ l'enfant ou les enfants ont subi des maux affectifs qui se traduisent par un sentiment profond d'anxiété, un état dépressif grave, un fort repliement sur soi ou un comportement autodestructeur ou agressif, et leur père ou leur mère ou la personne qui en est responsable ne fournit pas des services ou un traitement afin de remédier à ces maux ou de les soulager, refuse ou n'est pas en mesure de donner son consentement à ce traitement ou ces services, ou n'est pas disponible pour le faire [alinéa 37 (2) f)].
- ☐ l'enfant ou les enfants risquent vraisemblablement de subir des maux affectifs qui se traduisent par un sentiment profond d'anxiété, un état dépressif grave, un fort repliement sur soi ou un comportement autodestructeur ou agressif, et leur père ou leur mère ou la personne qui en est responsable ne fournit pas des services ou un traitement afin de prévenir ces maux, refuse ou n'est pas en mesure de donner son consentement à ce traitement ou ces services, ou n'est pas disponible pour le faire [alinéa 37 (2) g)].
- ☐ l'état mental ou affectif ou de développement de l'enfant ou des enfants risque, s'il n'y est pas remédié, de porter gravement atteinte à leur développement, et leur père ou leur mère ou la personne qui en est responsable ne fournit pas un traitement afin de remédier à cet état ou de le soulager, refuse ou n'est pas en mesure de donner son consentement à ce traitement, ou n'est pas disponible pour le faire [alinéa 37 (2) h)].
- ☐ l'enfant ou les enfants ont été abandonnés [alinéa 37 (2) i)].
- ☐ le père ou la mère de l'enfant ou des enfants est décédé ou ne peut pas exercer ses droits de garde sur eux

Suite à la page suivante ➡

Formule 8B : Requête (protection d'un enfant et révision de statut) (page 3)

Numéro de dossier du greffe

- et n'a pas pris de mesures suffisantes relativement à leur garde et aux soins à leur fournir [alinéa 37(2) i)].
- ☐ l'enfant ou les enfants sont placés dans un établissement et leur père ou leur mère refuse d'en assumer à nouveau la garde et de leur fournir des soins, n'est pas en mesure de le faire ou n'y consent pas [alinéa 37(2) i)].
 - ☐ l'enfant ou les enfants ont moins de douze ans et ont tué ou gravement blessé une autre personne ou ont causé des dommages importants aux biens d'une autre personne et doivent subir un traitement ou recevoir des services pour empêcher la répétition de ces actes, et leur père ou leur mère ou la personne qui en est responsable ne fournit pas ce traitement ou ces services, refuse ou n'est pas en mesure de donner son consentement à ce traitement ou ces services, ou n'est pas disponible pour le faire [alinéa 37(2) j)].
 - ☐ l'enfant ou les enfants ont moins de douze ans et ont, à plusieurs reprises, blessé une autre personne ou causé une perte ou des dommages aux biens d'une autre personne, avec l'encouragement de la personne qui en est responsable ou en raison du défaut ou de l'incapacité de cette personne de les surveiller convenablement [alinéa 37(2) k)].
 - ☐ le père ou la mère de l'enfant ou des enfants n'est pas en mesure de leur fournir des soins et ils sont amenés devant le tribunal avec le consentement de leur père ou de leur mère, et, s'ils sont âgés de douze ans ou plus, avec leur propre consentement, afin d'être traités comme le prévoit la partie III de la *Loi sur les services à l'enfance et à la famille* [alinéa 37(2) l)].
2. La société demande en conséquence une ordonnance :
- ☐ pour que l'enfant ou les enfants soient placés chez (*nom du gardien*) sous la surveillance de (*raison sociale de la société chargée de la surveillance*) pendant mois, aux conditions énoncées à l'annexe figurant à la page 6 de la présente formule de requête.
 - ☐ pour que l'enfant ou les enfants deviennent des pupilles de (*raison sociale de la société*) pendant mois.
 - ☐ pour que l'enfant ou les enfants deviennent des pupilles de (*raison sociale de la société*) pendant mois, puis qu'ils soient retournés chez (*nom du gardien*) sous la surveillance de (*raison sociale de la société chargée de la surveillance*).
 - ☐ pour que l'enfant ou les enfants deviennent des pupilles de la Couronne et soient confiés aux soins de (*raison sociale de la société chargée d'assurer les soins*) pendant mois, aux conditions énoncées à l'annexe figurant à la page 6 de la présente formule de requête.
 - ☐ pour que l'enfant ou les enfants deviennent des pupilles de la Couronne et soient confiés aux soins de (*raison sociale de la société chargée d'assurer les soins*).
 - ☐ pour que (*nom de l'aide familiale*) soit autorisée à rester dans les locaux situés au (*adresse des locaux où l'aide familiale est placée*) jusqu'au (*date*) ou jusqu'à ce que la personne qui a droit à la garde de l'enfant ou des enfants revienne prendre soin d'eux, selon la première de ces éventualités.
 - ☐ pour que soit accordé le droit de visite, selon les modalités suivantes : (*Donnez des précisions sur l'ordonnance demandée, y compris toute demande d'ordonnance de ne pas faire visée à l'article 76 de la Loi sur les services à l'enfance et à la famille.*)
 - ☐ pour que soient versés des aliments pendant que l'enfant ou les enfants reçoivent des soins, selon les modalités suivantes :
 - ☐ pour que soient accordés des dépens.
 - ☐ (*Autre, précisez.*)
3. Au mieux de la connaissance de la société, les parties ou l'enfant ou les enfants ☐ ont déjà ☐ n'ont jamais pris part à une cause judiciaire portant sur leur surveillance, leur tutelle ou leur garde ou le droit de visite à leur égard. (*Si vous avez coché la première case, joignez un résumé en question — formule 8E.*)

Suite à la page suivante ➡

**Formule 8B : Requête (protection d'un enfant et
révision de statut) (page 4)**

Numéro de dossier du greffe

4. Les parties ☐ ont ☐ n'ont pas
conclu d'accord écrit au sujet d'une question soulevée dans cette cause. *(Si vous avez coché la première case, indiquez la
date de l'accord et les conditions de celle-ci qui sont en litige. Joignez des pages supplémentaires au besoin.)*
5. Voici un bref résumé des faits sur lesquels la société se fonde dans la présente requête. *(Énoncez les faits sous forme
de paragraphes numérotés. Au besoin, joignez des pages supplémentaires, mais assurez-vous de dater et de signer chacune d'elles.)*

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page.

Signature du/de la requérant(e)_____
Date de la signature_____
Écrivez le nom en caractères d'imprimerie ou dactylographiez-le_____
Charge ou poste occupé à la société d'aide à l'enfance

Suite à la page suivante ➡

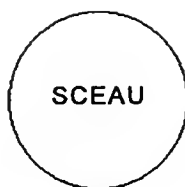
Formule 8B : Requête (protection d'un enfant et
révision de statut) (page 5)

Numéro de dossier du greffe

ANNEXE

Les conditions que la société envisage pour la surveillance de l'enfant ou des enfants sont les suivantes :

(Énoncez les conditions sous forme de paragraphes numérotés. Ne rien écrire sur cette page si aucune surveillance n'est demandée.)



 (Nom du tribunal)

Numéro de dossier du greffe

 situé(e) au _____
 Adresse du greffe

Formule 8C : Requête
visant

- ☐ le traitement en milieu fermé
- ☐ la prorogation du traitement en milieu fermé

Requérant(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).
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Enfant

Nom et prénom officiels de l'enfant : Date de naissance : Sexe :	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).
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Cochez la case appropriée.

1. ☐ Je suis le père ou la mère de l'enfant ou nous sommes les parents de l'enfant. (Joignez le consentement du père ou de la mère — formule 33R. Si l'enfant a 16 ou 17 ans, son consentement — formule 33Q — doit également être joint. Dans le cas d'une requête en prorogation du traitement, le consentement de l'administrateur du programme — formule 33R — doit également être joint. Si l'enfant a 18 ans ou plus, son consentement à la prorogation — formule 33R — doit également être joint.)
 - ☐ Je suis un dirigeant autorisé de la société d'aide à l'enfance qui a la garde de l'enfant aux termes d'une ordonnance rendue en vertu de la partie III de la Loi sur les services à l'enfance et à la famille. (Joignez le consentement du dirigeant — formule 33R. Si l'enfant a 16 ou 17 ans, son consentement — formule 33Q — doit également être joint. Dans le cas d'une requête en prorogation du traitement, le consentement de l'administrateur du programme — formule 33R — doit également être joint.)
 - ☐ Je suis la personne (autre qu'un administrateur du programme de traitement en milieu fermé) qui prend soin de l'enfant. (À n'utiliser que si l'enfant a moins de 16 ans. Le consentement du père ou de la mère de l'enfant — formule 33R — doit être joint. Dans le cas d'une requête en prorogation du traitement, le consentement de l'administrateur du programme — formule 33R — doit également être joint.)
 - ☐ Je suis l'enfant concerné dans cette cause et j'ai 16 ou 17 ans. (Le consentement de l'enfant — formule 33Q — doit être joint. Dans le cas d'une requête en prorogation du traitement, le consentement de l'administrateur du programme — formule 33R — doit également être joint.)
 - ☐ Je suis la personne qui a été placée dans un programme de traitement en milieu fermé dans cette cause et j'ai 18 ans ou plus. (À n'utiliser que pour une requête en prorogation du traitement. Joignez le consentement de l'administrateur du programme — formule 33R.)
 - ☐ Je suis un médecin autorisé aux termes des lois de l'Ontario à exercer la médecine. (À n'utiliser que pour une requête en prorogation du traitement en milieu fermé dans les cas où l'enfant a 16 ans ou plus. Le médecin peut demander la prorogation du traitement, mais seulement si l'enfant a 18 ans ou plus et que des consentements distincts — formule 33R — l'un de l'administrateur du programme, l'autre de l'enfant, sont joints.)
 - ☐ Je suis la personne responsable du programme de traitement en milieu fermé. (À n'utiliser que pour une requête en prorogation du traitement en milieu fermé. Joignez deux consentements — formule 33R —, l'un de l'administrateur du programme, l'autre du père ou de la mère de l'enfant ou, si l'enfant est confié aux soins d'une société d'aide à l'enfance, celui de la société. Si l'enfant a maintenant 18 ans ou plus, le deuxième consentement — formule 33R — doit venir de lui.)
2. Je demande ou nous demandons une ordonnance visée à la partie VI de la Loi sur les services à l'enfance et à la famille

☐ plaçant l'enfant
☐ prorogeant le placement de l'enfant

Suite à la page suivante ➔

**Formule 8C : Requête visant
le traitement en milieu fermé (page 2)**

Numéro de dossier du greffe.....

dans le programme de traitement en milieu fermé suivant : (Nom du programme de traitement en milieu fermé et adresse où il est offert.)

3. Je présente ou nous présentons la présente requête pour les raisons suivantes : (REMARQUE : les trois énoncés — a), b) et c) — doivent s'appliquer dans tous les cas.)

- ☐ a) l'enfant est atteint d'un trouble mental;
- ☐ b) le programme de traitement en milieu fermé permettrait efficacement d'empêcher que l'enfant s'inflige ou tente de s'infliger des lésions corporelles graves, ou en inflige ou tente d'en infliger à une autre personne;
- ☐ c) aucune méthode moins restrictive qui convient au traitement du trouble mental de l'enfant n'est appropriée dans les circonstances.

N'utilisez ce bloc que pour une requête visant le traitement en milieu fermé.

En plus des énoncés a), b) et c) ci-dessus, les trois énoncés ci-dessous — d), e) et f) — doivent ÉGALEMENT s'appliquer.

- ☐ d) l'enfant, en conséquence du trouble mental, s'est infligé ou a tenté de s'infliger des lésions corporelles graves ou en a infligées ou a tenté d'en infliger à une autre personne au cours des 45 jours qui précèdent immédiatement l'un des événements suivants :
- Ne cochez qu'une seule des trois cases suivantes.*
- ☐ la date de la présente requête visant le placement dans un programme de traitement en milieu fermé.
 - ☐ la détention de l'enfant ou sa garde en vertu de la *Loi sur les jeunes contrevenants* du Canada ou de la *Loi sur les infractions provinciales* de l'Ontario.
 - ☐ l'admission de l'enfant dans un établissement psychiatrique en vertu de la *Loi sur la santé mentale* à titre de malade en cure obligatoire.
 - ☐ ou bien, au cours des 12 mois qui précèdent immédiatement la présente requête visant le traitement en milieu fermé, mais lors d'une occasion différente de celle mentionnée à l'énoncé b) ci-dessus :
 - ☐ s'est infligé ou a tenté de s'infliger des lésions corporelles graves, ou en a infligées ou a tenté d'en infliger à une autre personne,
 - ☐ a sérieusement menacé au moyen de paroles ou d'actes de s'infliger des lésions corporelles graves ou d'en infliger à une autre personne;
 - ☐ ou bien a causé ou a tenté de causer la mort d'une personne lorsqu'il s'est infligé ou a tenté de s'infliger des lésions corporelles graves ou en a infligées ou a tenté d'en infliger à une autre personne.
- ☐ e) l'enfant :
- ☐ a sérieusement menacé au moyen de paroles ou d'actes de s'infliger des lésions corporelles graves ou d'en infliger à une autre personne;
 - ☐ ou bien a causé ou a tenté de causer la mort d'une personne lorsqu'il s'est infligé ou a tenté de s'infliger des lésions corporelles graves ou en a infligées ou a tenté d'en infliger à une autre personne.
- ☐ f) un traitement qui conviendrait au trouble mental de l'enfant est offert au même endroit que le programme mentionné au point 2 ci-dessus.

N'utilisez ce bloc que pour une requête en prorogation du traitement en milieu fermé

En plus des énoncés a), b) et c) ci-dessus, les deux énoncés ci-dessous — d) et e) — doivent ÉGALEMENT s'appliquer.

- ☐ d) l'enfant reçoit :
 - ☐ le traitement qui a été proposé lorsque ce tribunal a initialement ordonné son placement en milieu fermé;
 - ☐ un autre traitement approprié;
- ☐ e) il existe un programme approprié de soins à fournir à l'enfant lorsqu'il obtiendra son congé du programme de traitement en milieu fermé.

4. Voici un bref résumé des faits sur lesquels la présente requête se fonde. (Énoncez les faits sous forme de paragraphes numérotés en tenant compte des éléments mentionnés au point 3. Au besoin, joignez des pages supplémentaires, mais assurez-vous de dater et de signer chacune d'elles.)

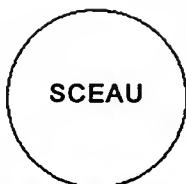
Trechez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page.

Signature

Date de la signature

Signature

Date de la signature



(Nom du tribunal) Numéro de dossier du greffe

situé(e) au _____
Adresse du greffe

Formule 8D : Requête
en adoption

Requérant(e)(s) [Sauts les conjoints peuvent présenter une requête conjointe en adoption.]

<p><i>Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>	<p><i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>
---	--

Intimé(e)(s) [La case ci-dessous n'est utilisée que dans une cause d'adoption contestée dans laquelle interviennent un ou plusieurs parents ou beaux-parents.]

<p><i>Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>	<p><i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>
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LES REQUÉRANT(E)S DEMANDENT UNE ORDONNANCE D'ADOPTION DE :

(nom et prénom officiels de la personne qui doit être adoptée)

Les requérant(e)s demandent également une ordonnance pour que le nom de la personne, après l'adoption,

devienne : (nom et prénom officiels de la personne après l'adoption)

Biffez la case ci-dessous si elle ne s'applique pas dans cette cause.

<p>AVIS AUX INTIMÉ(E)S : Vous est également signifié un avis de motion visant à permettre de passer outre à votre consentement à cette adoption. Des précisions sur la motion figurent dans l'avis de motion et dans le ou les affidavits ci-joints.</p> <p>SI VOUS DÉSIREZ VOUS OPPOSER À CETTE ADOPTION, vous ou votre avocat devez préparer un ou plusieurs affidavits pour la motion. SI VOUS NE LE FAITES PAS, LE TRIBUNAL PEUT SE PASSER DE VOTRE CONSENTEMENT EN VOTRE ABSENCE ET VOUS NE RECEVREZ AUCUN AUTRE AVIS DE L'AUDIENCÉ PORTANT SUR L'ADOPTION.</p> <p>VOUS DEVRIEZ OBTENIR DES CONSEILS JURIDIQUES AU SUJET DE CETTE CAUSE IMMÉDIATEMENT. Si vous n'avez pas les moyens de payer un avocat, le bureau d'aide juridique de votre localité pourra peut-être vous aider. (Consultez l'annuaire téléphonique sous la rubrique <i>Aide juridique</i>).</p>

Date de délivrance

Greffier du tribunal

Numéro de dossier du greffe

(Nom du tribunal)

.....

**Formule 8E : Résumé
des causes**

situé(e) au

Adresse du greffe

Requérant(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Intimé(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Je m'appelle (nom et prénom officiels)

Voici un calendrier de toutes les étapes de cette cause et de toute autre cause pertinente concernant :

- a) soit l'une ou l'autre des parties;
- b) soit un enfant qui est concerné par cette cause ou dont les intérêts le sont.

Signature

Date de la signature

Date à laquelle la cause ou l'étape de celle-ci a débuté	Description de la cause ou de l'étape	Tribunal qui a entendu la cause ou l'étape	Juge ou officier de justice dont l'ordonnance a décidé de la cause ou de l'étape	Date de l'ordonnance	Résumé de l'ordonnance

↑

Suite à la page suivante

Formule 8E : Résumé des causes (page 2)

Numéro de dossier du greffe

[illegible]

Numéro de dossier du greffe

(Nom du tribunal)

Formule 10 : Défense

situé(e) au

Adresse du greffe

Requérant(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Intimé(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

À L'AUX INTIMÉ(E)(S)

Si vous présentez une demande contre une personne qui n'est pas le/la requérant(e), indiquez les nom et adresse de la personne ici.

ET À : (nom et prénom officiels)
(adresse)

, intimé(e) joint(e),

1. Je suis d'accord avec les demandes suivantes du/de la requérant(e) : (Reportez-vous aux numéros figurant vis-à-vis des cases à la page 3 de la formule de requête.)
2. Je ne suis pas d'accord avec les demandes suivantes du/de la requérant(e) : (Reportez-vous aux numéros figurant vis-à-vis des cases à la page 3 de la formule de requête.)
3. ☐ Je demande que la demande du/de la requérant(e) (sauf les parties avec lesquelles je suis d'accord) soit rejetée avec les dépens.
4. ☐ Je présente ma propre demande.
(Joignez la page 3, intitulée «Demande de l'intimé(e)», s'il y a lieu.)
5. ☐ Les ANTÉCÉDENTS FAMILIAUX, tels qu'ils sont énoncés dans la requête, ☐ sont exacts
☐ sont inexacts
(S'ils sont inexacts, joignez votre propre page d'ANTÉCÉDENTS FAMILIAUX et soulignez les parties qui diffèrent de la version du/de la requérant(e).)

Suite à la page suivante ➡

Formule 10 : Défense (page 2)

Numéro de dossier du greffe

6. Les faits importants qui constituent le fondement juridique de la position que j'avance au numéro 2 sont les suivants :
- (Sous forme de paragraphes numérotés, énoncez les faits en question. Joignez des pages supplémentaires au besoin et numérotez-les.)*

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page.

Signature de l'intimé(e)

Date de la signature

Suite à la page suivante ➡

Formule 10 : Défense (page 3)

Numéro de dossier du greffe

DEMANDE DE L'INTIMÉ(E)

Remplissez une page distincte pour chaque personne contre laquelle vous présentez vos demandes.

7. LA PRÉSENTE DEMANDE EST PRÉSENTÉE CONTRE

- ☐ LE/LA REQUÉRANT(E)
☐ UNE PARTIE JOINTE, soit (nom et prénom officiels)

(Si votre demande est présentée contre une partie jointe, assurez-vous que son nom figure à la page 1 de la présente formule.)

8. JE DEMANDE AU TRIBUNAL CE QUI SUIT :

(Les demandes ci-dessous comprennent les demandes d'ordonnance temporaire.)

Demandes visées par la Loi sur le divorce <i>Ne cochez les cases de la présente colonne que si vous présentez une requête en divorce.</i> 00 <input type="checkbox"/> un divorce 01 <input type="checkbox"/> des aliments pour moi-même 02 <input type="checkbox"/> des aliments pour un ou plusieurs enfants 03 <input type="checkbox"/> la garde d'un ou de plusieurs enfants 04 <input type="checkbox"/> le droit de visite à un ou plusieurs enfants Demandes visées par la Loi sur le droit de la famille ou la Loi portant réforme du droit de l'enfance 10 <input type="checkbox"/> des aliments pour moi-même 11 <input type="checkbox"/> des aliments pour un ou plusieurs enfants 12 <input type="checkbox"/> la garde d'un ou de plusieurs enfants 13 <input type="checkbox"/> le droit de visite à un ou plusieurs enfants 14 <input type="checkbox"/> une ordonnance de ne pas faire/de non-harcèlement 15 <input type="checkbox"/> une indexation des aliments du conjoint 16 <input type="checkbox"/> une déclaration de liens de filiation 17 <input type="checkbox"/> une tutelle à l'égard des biens d'un enfant	Demandes portant sur des biens 20 <input type="checkbox"/> l'égalisation des biens familiaux nets 21 <input type="checkbox"/> la possession exclusive du foyer conjugal 22 <input type="checkbox"/> la possession exclusive du contenu du foyer conjugal 23 <input type="checkbox"/> le gel des avoirs 24 <input type="checkbox"/> la vente de biens familiaux Autres demandes 30 <input type="checkbox"/> les dépens 31 <input type="checkbox"/> l'annulation du mariage 32 <input type="checkbox"/> les intérêts antérieurs au jugement	Demandes portant sur la protection d'un ou de plusieurs enfants 40 <input type="checkbox"/> le droit de visite 41 <input type="checkbox"/> une ordonnance de protection moindre 42 <input type="checkbox"/> leur retour à mes soins 43 <input type="checkbox"/> leur placement sous les soins de (nom) 44 <input type="checkbox"/> leur placement en tant que pupilles de la société d'aide à l'enfance pendant . . . mois 45 <input type="checkbox"/> la surveillance par la société des soins que je leur assure
---	--	---

50 ☐ (Autre, précisez)

Donnez des précisions sur l'ordonnance que vous demandez au tribunal. (Indiquez notamment les montants des aliments (s'ils sont connus) et le nom des enfants à l'égard desquels des aliments, la garde ou le droit de visite sont demandés.)

Suite à la page suivante ➡

Formule 10 : Défense (page 4)

Numéro de dossier du greffe

FAITS IMPORTANTS À L'APPUI DE MES DEMANDES

(Sous forme de paragraphes numérotés, énoncez les faits qui constituent le fondement juridique de vos demandes. Joignez des pages supplémentaires au besoin et numérotez-les.)

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page.

Signature de l'intimé(e)

Date de la signature

Numéro de dossier du greffe

(Nom du tribunal)

situé(e) au

Adresse du greffe

Formule 10A : Réponse

- ☐ du/de la
requérant(e)
☐ de l'intimé(e)
joint(e)

Requérant(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Intimé(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

À TOUTES LES PARTIES :

1. Je m'appelle
2. Je suis d'accord avec les demandes suivantes de l'intimé(e) : (Reportez-vous aux numéros figurent vis-à-vis des cases à la page 3 de la formule de défense.)
3. Je ne suis pas d'accord avec les demandes suivantes de l'intimé(e) : (Reportez-vous aux numéros figurent vis-à-vis des cases à la page 3 de la formule de défense.)
4. ☐ Je demande que la demande de l'intimé(e) (sauf les parties avec lesquelles je suis d'accord) soit rejetée avec les dépens.
5. Les faits importants qui constituent le fondement juridique de la position que j'avance au numéro 3 sont les suivants : (Sous forme de paragraphes numérotés, énoncez les faits en question. Joignez des pages supplémentaires au besoin et numérotez-les.)

Suite à la page suivante ➡

Formule 10A : Réponse (page 2)

Numéro de dossier du greffe

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page.

Signature

Date de la signature

Numéro de dossier du greffe

(Nom du tribunal)

**Formule 12 : Avis
de retrait**

situé(e) au

Adresse du greffe

Requérant(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Intimé(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

À TOUTES LES PARTIES :

Je m'appelle (nom et prénom officiels)

Je retire

- ☐ cette requête du (date)
☐ cette défense du (date)
☐ cet avis d'audience sur le défaut du (date)
☐ cet avis de motion du (date)
☐ (Autre. Précisez.)

contre (nom des parties visées par le retrait)

- ☐ à tous égards
☐ à l'égard (expliquez la nature du retrait)

Signature de la partie qui effectue le retrait ou de son avocat(e)

Date de la signature

AVIS AUX AUTRES PARTIES : Si le présent avis a pour effet de retirer en totalité ou en partie une cause introduite, une procédure d'exécution commencée, une motion présentée ou une autre démarche entreprise contre vous, vous avez le droit de vous faire rembourser vos dépens par la partie qui effectue le retrait, sauf ordonnance contraire du tribunal ou accord des parties.

Numéro de dossier du greffe

(Nom du tribunal)

situé(e) au

Adresse du greffe

Formule 13 : État
financier

daté du

Requérant(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Intimé(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Je m'appelle (nom et prénom officiels)

J'habite à (municipalité et province)

et je déclare sous serment/J'affirme solennellement que les renseignements suivants sont véridiques :

1. Mon état financier, tel qu'il figure dans les pages suivantes, est exact au mieux de ma connaissance et de ma croyance et rend compte de la situation financière, au (date à laquelle les renseignements sont exacts), des personnes ci-dessous :

Cochez une ou plusieurs cases, selon les circonstances.

- ☐ moi-même
☐ les enfants énumérés à la section 1 du présent état
☐ la ou les personnes suivantes : [Donnez leur nom et leur lien de parenté avec vous.]

2. Je joins au présent état :

Voir les instructions ci-dessous

- ☐ les sections 1 à 6 de la présente formule et les documents mentionnés à la section 2 (numéros 9 à 12).
☐ la section 7 de la présente formule.
☒ les sections ☐ 8 à 10 de la présente formule.
☐ 11 à 16 de la présente formule.

Déclaré sous serment/Affirmé solennellement devant moi à
 municipalité

an/à/au
 province, État ou pays

le
 date

Commissaire aux affidavits

(Dactylographiez le nom ou écrivez-le en caractères d'imprimerie ci-dessous si la signature est illisible.)

Signature

(La présente formule doit être signée en présence d'un avocat, d'un juge de paix, d'un notaire ou d'un commissaire aux affidavits.)

Sulte à la page suivante ➡

Formule 13 : État financier (page 2)

Numéro de dossier du greffe

MARCHE À SUIVRE POUR REMPLIR LA PRÉSENTE FORMULE

Vous devez remplir et joindre les sections 1 à 6 de la présente formule si la cause comprend, selon le cas :

- une demande d'aliments;
- une demande de modification des aliments;
- l'exécution d'une ordonnance alimentaire ou des dispositions relatives aux aliments d'un contrat familial ou d'un accord de paternité;
- une demande de garde ou de droit de visite dans les cas où le tribunal a ordonné le dépôt d'un état financier;
- une demande de possession exclusive du foyer conjugal et de son contenu;
- un litige portant sur des biens qui ne concerne pas l'égalisation des biens familiaux nets aux termes de la partie I de la *Loi sur le droit de la famille*.

Vous devez également remplir et joindre la section 7, **MAIS SEULEMENT SI LA CAUSE COMPREND UNE DEMANDE D'ALIMENTS DONT LE MONTANT DIFFÈRE DE CELUI PRÉVU DANS LE TABLEAU FIGURANT DANS LES LIGNES DIRECTRICES SUR LES ALIMENTS POUR LES ENFANTS** (demande de supplément pour couvrir les dépenses spéciales ou extraordinaires de l'enfant ou des enfants; enfant de 18 ans ou plus; demande pour difficultés excessives; demande d'aliments en cas de garde exclusive ou partagée ou dans les cas où le revenu annuel d'une partie dépasse 150 000 \$).

Enfin, vous devez également donner des renseignements sur vos biens et sur vos dettes. **VOUS DEVEZ REMPLIR ET JOINDRE :**

- a) soit **LES SECTIONS 8 À 10** si la cause comprend une ou plusieurs des questions mentionnées ci-dessus, **MAIS NON** une demande d'égalisation des biens familiaux nets aux termes de la partie I de la *Loi sur le droit de la famille*;
- b) soit **LES SECTIONS 11 À 16** si la cause comprend une demande d'égalisation des biens familiaux nets aux termes de la partie I de la *Loi sur le droit de la famille*, même si elle comprend également une ou plusieurs des questions mentionnées ci-dessus.

Par exemple, si la cause ne porte que sur l'égalisation des biens familiaux nets aux termes de la partie I de la *Loi sur le droit de la famille*, vous devez remplir et joindre les sections 11 à 16, mais non les sections 1 à 7.

AUTRE REMARQUE IMPORTANTE

Dès que vous apprenez :

- a) soit que les renseignements qui figurent dans le présent état financier sont inexacts ou incomplets;
- b) soit que survient un changement important de circonstances qui a ou aura une incidence sur les renseignements qui figurent dans le présent état financier,

vous **DEVEZ** signifier à chacune des autres parties à la cause et déposer au tribunal :

- c) soit les renseignements exacts ou complets;
- d) soit un nouvel état financier dans lequel figurent les renseignements mis à jour,

ainsi que tous documents à l'appui de ces renseignements.

DÉCLARATION

(À remplir uniquement si votre revenu est exonéré d'impôt en raison de votre statut d'Indien ou d'Indienne.)

Je m'appelle (nom et prénom officiels)

J'habite à (municipalité et province)

et je déclare que les renseignements suivants sont véridiques :

- Je suis un Indien ou une Indienne au sens de la *Loi sur les Indiens* du Canada.
- En raison de mon statut, mon revenu est exonéré d'impôt et je ne suis pas tenu(e) de produire une déclaration de revenus.
- En conséquence, je n'ai pas produit de déclaration de revenus pour les trois dernières années.

Déclaré devant moi à
municipalité

en/à/au
province, État ou pays

le
date

Commissaire aux affidavits

(Dactylographiez le nom ou écrivez-le en caractères d'imprimerie ci-dessous si la signature est illisible.)

Signature

(La présente formule doit être signée en présence d'un avocat, d'un juge de paix, d'un notaire ou d'un commissaire aux affidavits.)

Formule 13 : État financier (page 3)

Numéro de dossier du greffe

LES SECTIONS 1 À 6 DOIVENT ÊTRE REMPLIES ET JOINTES AU PRÉSENT ÉTAT FINANCIER si la cause comprend, selon le cas :

- une demande d'aliments;
- une demande de modification des aliments;
- l'exécution d'une ordonnance alimentaire ou des dispositions relatives aux aliments d'un contrat familial ou d'un accord de paternité;
- une demande de garde ou de droit de visite dans les cas où le tribunal a ordonné le dépôt d'un état financier;
- une demande de possession exclusive du foyer conjugal et de son contenu;
- un litige portant sur des biens qui ne concerne pas l'égalisation des biens familiaux nets aux termes de la partie I de la Loi sur le droit de la famille.

Ne remplissez pas la présente section si la cause ne concerne que l'égalisation des biens familiaux nets.

**SECTION 1 : NOM ET DATE DE NAISSANCE
DE L'ENFANT OU DES ENFANTS**

La section 1 doit être remplie si la cause concerne une demande de votre part ou d'une autre partie en vue d'obtenir :

- a) des aliments pour un ou plusieurs enfants;
- b) l'exécution d'une ordonnance alimentaire à l'égard d'un ou de plusieurs enfants;
- c) la garde d'un enfant ou le droit de visite à son égard, mais seulement dans les cas où le tribunal a ordonné à chaque partie de signifier et de déposer un état financier;
- d) une combinaison quelconque de ce qui précède.

Vous devez remplir la présente section même si vous avez décidé de ne pas contester la demande de garde ou d'aliments de l'autre partie. Elle ne s'applique pas si la cause ne comporte aucune demande concernant des enfants.

	NOM ET PRÉNOM OFFICIELS DE L'ENFANT	DATE DE NAISSANCE (j,m,a)	SEXE
1			
2			
3			
4			
5			
6			
7			
8			

SECTION 2 : REVENU

pour la période de 12 mois allant du (date) au (date)

Veuillez inclure les revenus et les autres sommes que vous recevez de toutes provenances, qu'ils soient imposables ou non. Indiquez le montant brut ci-dessous et les déductions à la section 5. Donnez le montant actuel réel si vous le connaissez ou si vous pouvez l'obtenir, sinon indiquez le montant approximatif qui vous semble le plus juste. Pour obtenir un montant mensuel pour les numéros 13 à 28, multipliez le revenu hebdomadaire par 4,33 ou divisez le montant annuel par 12.

9. Je suis ☐ employé(e) par (nom et adresse de votre employeur)

☐ à mon compte et j'exerce mes activités commerciales sous le nom de (nom et adresse de votre entreprise)

☐ sans emploi depuis le (date à laquelle vous avez travaillé pour la dernière fois)

10. Je joins à la présente :

- ☐ une copie des déclarations de revenus que j'ai remises au ministère du Revenu national pour les 3 dernières années d'imposition, une copie des pièces qui y étaient jointes ainsi qu'une copie des avis de cotisation ou de nouvelle cotisation d'impôt que j'ai reçus du ministère pour ces années.

Suite à la page suivante ➡

Formule 13 : État financier (page 4)

Numéro de dossier du greffe

- ☐ une déclaration du ministère du Revenu national selon laquelle je n'ai produit aucune déclaration de revenus pour les 3 dernières années.
- ☐ une déclaration selon laquelle je ne suis pas tenu(e) de produire une déclaration de revenus en raison de la *Loi sur les Indiens*. Utilisez la déclaration au bas de la page 2.
- ☐ une directive — formule 13A — signée de ma main et adressée à la Direction de l'impôt du ministère du Revenu national permettant la divulgation de mes déclarations de revenus et de mes cotisations pour les 3 dernières années.

Important! Si votre cause exige que vous remplissiez et joigniez les sections 1 à 6, le greffier du Tribunal ne vous permettra PAS de déposer le présent état financier à moins que vous n'ayez coché une des cases du point 10 ci-dessus et que vous n'ayez joint le ou les documents demandés.

11. Je joins au présent état la preuve de mon revenu actuel, y compris mon plus récent :
- ☐ talon de chèque de paie ☐ talon de chèque d'assurance-emploi ☐ talon de chèque de pension
- ☐ talon de chèque d'indemnité d'accident du travail ☐ (Autre, précisez.)
12. Le revenu total que j'ai gagné jusqu'à cette année est de \$ et est détaillé aux numéros 13 à 28 ci-dessous. Je joins le ou les documents suivants comme preuves à l'appui : (Indiquez le ou les documents en question.)

CATÉGORIE		PAR MOIS
13.	Traitement ou salaire, temps supplémentaire compris (<i>avant déductions</i>)	
14.	Gratifications, honoraires et commissions	
15.	Aide sociale (<i>aide é l'emploi, aide financière de base</i>)	
16.	Assurance-emploi	
17.	Indemnités d'accident du travail	
18.	Prestations de retraite	
19.	Dividendes	
20.	Intérêts	
21.	Loyer et pension	

CATÉGORIE		PAR MOIS
22.	Crédit d'impôt pour enfant	
23.	Aliments effectivement reçus jusqu'ici	
24.	Revenu des enfants	
25.	Remboursement de la T.P.S.	
26.	Remboursement d'impôt sur le revenu	
27.	Cadeaux et prêts	
28.	Autre (revenu d'entreprise, pourboires, etc.; joignez des états ou donnez des précisions.)	
29.	REVENUS DE TOUTES PROVENANCES	

SECTION 3 : AUTRES AVANTAGES

Indiquez vos avantages non pécuniaires, tels que l'utilisation d'une voiture, l'adhésion à un club ou la chambre et la pension que votre employeur ou quelqu'un d'autre vous fournit ou les avantages qui sont passés en charges par votre entreprise. Si vous ne pouvez en vérifier la valeur réelle, indiquez le montant qui vous semble le plus juste.

ARTICLE	PRÉCISIONS	Valeur marchande mensuelle
30. TOTAL		

31. REVENU MENSUEL BRUT ET AVANTAGES ([29] + [30]) \$

Suite à la page suivante ➡

Formule 13 : État financier (page 5)

Numéro de dossier du greffe

SECTION 4 : AUTRES MEMBRES DU MÉNAGE QUI GAGNENT UN REVENU*Ne remplissez la présente section que si vous habitez avec quelqu'un d'autre, que vous soyez mariés ou non.*

32. J'habite avec (nom et prénom officiels de la personne)

33. Cette personne a (nombre) enfant(s) qui habitent sous le même toit.

34. Cette personne ☐ travaille à/chez (lieu de travail ou d'activité)☐ ne travaille pas à l'extérieur du foyer.35. Cette personne ☐ gagne\$ par☐ ne gagne rien.36. Cette personne ☐ assume environ % des dépenses du ménage.☐ n'assume aucune des dépenses du ménage.**SECTION 5 : RETENUES À LA SOURCE**

pour la période de 12 mois allant du (date) au (date)

Indiquez le montant actuel réel si vous le connaissez ou si vous pouvez l'obtenir, sinon indiquez le montant qui vous semble le plus juste. Pour obtenir un montant mensuel, multipliez le revenu hebdomadaire par 4,33 ou divisez le montant annuel par 12.

	GENRE DE DÉPENSES	PAR MOIS
37.	Impôt sur le revenu	
38.	Régime de pensions du Canada	
39.	Autres régimes de pension	
40.	Assurance-emploi	
41.	Cotisations syndicales ou autres	

	GENRE DE DÉPENSES	PAR MOIS
42.	Assurance collective	
43.	Autre (Précisez. Joignez une autre feuille au besoin.)	
44.	TOTAL — RETENUES À LA SOURCE	

45. REVENU MENSUEL NET (Soustrayez : [31] — [44])\$

SECTION 6 : DÉPENSES TOTALES

pour la période de 12 mois allant du (date) au (date)

REMARQUE : La présente section doit être remplie dans tous les cas. Vous devez indiquer vos frais de subsistance TOTAUX, y compris ceux pour les enfants qui habitent chez vous. Si vous ne pouvez trouver le montant réel, indiquez le montant qui vous semble le plus juste. Comme pour la section 1, convertissez les chiffres hebdomadaires ou annuels en chiffres mensuels en les multipliant par 4,33 ou en les divisant par 12, selon le cas.

Suite à la page suivante ➡

Formule 13 : État financier (page 6)

Numéro de dossier du greffe

GENRE DE DÉPENSES		PAR MOIS
Logement		
46.	Loyer/hypothèque	
47.	Impôts fonciers et municipaux	
48.	Frais de condominium et dépenses communes	
49.	Eau	
50.	Électricité	
51.	Chauffage (gaz naturel, mazout)	
52.	Téléphone	
Logement		
53.	Câblodistribution et télévision payante	
54.	Assurance-habitation	
55.	Réparations domiciliaires, entretien, jardinage, déneigement, etc.	
56.	Autres dépenses du ménage (<i>Précisez. Joignez une autre feuille au besoin.</i>)	
Nourriture, articles de toilette et articles divers		
57.	Épicerie	
58.	Repas pris à l'extérieur de la maison	

GENRE DE DÉPENSES		PAR MOIS
59.	Articles ménagers divers	
60.	Coiffure, articles de toilette et articles divers	
61.	Blanchissage et nettoyage à sec	
62.	Autre (<i>Précisez. Joignez une autre feuille au besoin.</i>)	
Vêtements		
63.	Vêtements pour moi	
64.	Vêtements pour les enfants	
65.	Autre (<i>Précisez. Joignez une autre feuille au besoin.</i>)	
Transports		
66.	Transports en commun	
67.	Taxis	
68.	Assurance-automobile	
69.	Permis de conduire et immatriculation	
70.	Prêt-automobile	
71.	Entretien et réparation de la voiture	
72.	Essence et huile	

Suite à la page suivante ➡

Formule 13 : État financier (page 7)

Numéro de dossier du greffe

GENRE DE DÉPENSES		PAR MOIS
73.	Stationnement	
74.	Autre (Précisez. Joignez une autre feuille au besoin.)	
Soins de santé et soins médicaux		
75.	Soins dentaires ordinaires	
76.	Soins orthodontiques ou soins dentaires spéciaux	
77.	Médicaments	
78.	Lunettes ou verres de contact	
79.	Autre (Précisez. Joignez une autre feuille au besoin.)	
Divers		
80.	Primes d'assurance-vie ou d'assurance temporaire	
81.	Frais de scolarité, livres, etc.	
82.	Activités scolaires (projets spéciaux, sorties éducatives, etc.)	
83.	Repas pris à l'école	
84.	École confessionnelle	
85.	Sorties et loisirs	
86.	Vacances	
87.	Camp d'été pour les enfants	
88.	Activités pour les enfants (cours de musique, clubs, sports, bicyclettes)	
89.	Argent de poche pour les enfants	

GENRE DE DÉPENSES		PAR MOIS
90.	Gardiennage	
91.	Garderie	
92.	Livres pour la maison, journaux, revues, cassettes et disques audio et vidéo	
93.	Cadeaux	
94.	Oeuvres de bienfaisance	
95.	Alcool et tabac	
96.	Dépenses pour animaux domestiques	
97.	Aliments réellement versés dans la cause	
98.	Aliments réellement versés dans une autre cause	
99.	Impôt sur le revenu (non prélevé à la source)	
100.	Autre (Précisez. Joignez une autre feuille au besoin.)	
Remboursement de dettes (sauf les hypothèques)		
101.	Cartes de crédit (mais non pour les dépenses déjà mentionnées dans le présent état.)	
102.	Autre (Précisez. Joignez une autre feuille au besoin.)	
Épargne		
103.	R.E.E.R.	
104.	Autre (Précisez. Joignez une autre feuille au besoin.)	
105.	Total des numéros [46] à [104]	

RÉSUMÉ DU REVENU ET DES DÉPENSES

Revenu mensuel net (numéro [45] ci-dessus) = \$
 moins les dépenses mensuelles réelles (numéro [105]) = \$
EXCÉDENT/DÉFICIT MENSUEL RÉEL = \$

REMARQUE IMPORTANTE AU SUJET DE LA PROCHAINE SECTION

Si la cause porte sur une demande d'aliments dont le montant *diffère* de celui prévu dans le tableau figurant dans les lignes directrices sur les aliments pour les enfants (demande de supplément pour couvrir les dépenses spéciales ou extraordinaires de l'enfant ou des enfants; enfant de 18 ans ou plus; demande pour difficultés excessives; demande d'aliments en cas de garde exclusive ou partagée ou dans les cas où le revenu annuel du payeur dépasse 150 000 \$), VOUS DEVEZ ALORS REMPLIR ET JOINDRE LA SECTION 7.

Si, par contre, la demande d'aliments dans la cause correspond au montant prévu dans le tableau figurant dans les lignes directrices sur les aliments pour les enfants ou que la cause ne porte aucunement sur de tels aliments, sautez la section 7 et remplissez plutôt et joignez :

- soit les sections 8 à 10.
- soit les sections 11 à 16.

Voir les instructions au début de la section 8 ou 11 au sujet du choix que vous devez faire.

Suite à la page suivante →

Formule 13 : État financier (page 8)

Numéro de dossier du greffe

SECTION 7 : DÉPENSES DE L'ENFANT OU DES ENFANTS					
<p>REMARQUE : NE REMPLISSEZ LA SECTION 7 QUE SI LA CAUSE COMPREND UNE DEMANDE D'ALIMENTS DONT LE MONTANT DIFFÈRE DE CELUI PRÉVU DANS LE TABLEAU FIGURANT DANS LES LIGNES DIRECTRICES SUR LES ALIMENTS POUR LES ENFANTS (demande de supplément pour couvrir les dépenses spéciales ou extraordinaires de l'enfant ou des enfants; enfant de 18 ans ou plus; demande pour difficultés excessives; demande d'aliments en cas de garde exclusive ou partagée ou dans les cas où le revenu annuel du payeur est de 150 000 \$ ou plus).</p> <p><i>Si la section 7 s'applique à cette cause, indiquez le pourcentage de vos frais de subsistance totaux réels par mois énoncés à la section 6 qui se rapportent à l'enfant ou aux enfants qui habitent chez vous. Si vous ne parvenez pas à établir la part d'une dépense particulière qui est attribuable à chaque enfant, indiquez le pourcentage qui vous semble le plus juste. S'il y a plus de trois enfants, joignez des feuilles supplémentaires.</i></p>					
GENRE DE DÉPENSES		% de la dépense attribuable à l'enfant			Total mensuel
		Nom :	Nom :	Nom :	
		Âge :	Âge :	Âge :	
Logement					
106	Loyer/hypothèque	%	%	%	\$
107	Impôts fonciers et municipaux				
108	Frais de condominium et dépenses communes				
109	Eau				
110	Électricité				
111	Chauffage (gaz naturel, mazout)				
112	Téléphone				
113	Câblodistribution et télévision payante				
114	Assurance-habitation				
115	Réparations domiciliaires, entretien, jardinage, déneigement, etc.				
Nourriture, articles de toilette et articles divers					
116	Épicerie				
117	Repas pris à l'extérieur de la maison				
118	Articles ménagers divers				
119	Coiffure, articles de toilette et articles divers				
120	Blanchissage et nettoyage à sec				
121	Autre (Précisez. Joignez une autre feuille au besoin.)				
Vêtements					
122	Vêtements pour les enfants				
123	Autre (Précisez. Joignez une autre feuille au besoin.)				
Transports					
124	Transports en commun				
125	Taxis				
126	Assurance-automobile				

Suite à la page suivante ➡

Formule 13 : État financier (page 9)

Numéro de dossier du greffe

GENRE DE DÉPENSES		% de la dépense attribuable à l'enfant			Total mensuel
		Nom :	Nom :	Nom :	
		Âge :	Âge :	Âge :	
127.	Permis de conduire et immatriculation				
128.	Prêt-automobile				
129.	Entretien et réparation de la voiture				
130.	Essence et huile				
131.	Stationnement				
132.	Autre (Précisez. Joignez une autre feuille au besoin.)				
Soins de santé et soins médicaux					
133.	Soins dentaires ordinaires				
134.	Soins orthodontiques ou soins dentaires spéciaux				
135.	Médicaments				
136.	Lunettes ou verres de contact				
137.	Autre (Précisez. Joignez une autre feuille au besoin.)				
Divers					
138.	Primes d'assurance-vie ou d'assurance temporaire				
139.	Frais de scolarité, livres, etc.				
140.	Résidence scolaire				
141.	Activités scolaires (projets spéciaux, sorties éducatives, etc.)				
142.	Repas pris à l'école				
143.	École confessionnelle				
144.	Sorties et loisirs				
145.	Vacances				
146.	Camp d'été pour les enfants				
147.	Activités pour les enfants (cours de musique, clubs, sports, bicyclettes)				
148.	Argent de poche pour les enfants				
149.	Gardiennage				
150.	Garderie				
151.	Livres pour la maison, journaux, revues, cassettes et disques audio et vidéo				
152.	Cadeaux pour les enfants				
153.	Cadeaux offerts par les enfants				

Formule 13 : État financier (page 10)

Numéro de dossier du greffe

GENRE DE DÉPENSES		% de la dépense attribuable à l'enfant			Total mensuel
		Nom :	Nom :	Nom :	
		Âge :	Âge :	Âge :	
154.	Oeuvres de bienfaisance				
155.	Dépenses pour animaux domestiques				
156.	Autre (Précisez. Joignez une autre feuille au besoin.)				
Remboursement de dettes (sauf l'hypothèque)					
157.	Cartes de crédit (mais non pour les dépenses déjà mentionnées dans le présent état.)				
158.	Autre (Précisez. Joignez une autre feuille au besoin.)				
Épargne					
159.	Autre (Précisez. Joignez une autre feuille au besoin.)				
160.	DÉPENSES MENSUELLES DE L'ENFANT OU DES ENFANTS - TOTAL DES NUMÉROS [106] À [159]				\$

REMARQUE IMPORTANTE AU SUJET DE LA PROCHAINE SECTION**VOUS DEVEZ MAINTENANT REMPLIR ET JOINDRE :**

- soit les sections 8 à 10.
- soit les sections 11 à 16.

Voir les instructions au début de la section 8 ou 11 au sujet du choix que vous devez faire.

Suite à la page suivante ➡

Formule 13 : État financier (page)

Numéro de dossier du greffe.

REMARQUE IMPORTANTE AU SUJET DES SECTIONS 8 À 10

Si la cause comprend une demande d'égélisation des biens familiaux nets aux termes de la partie I de la Loi sur le droit de la famille, passez directement aux sections 11 à 16. Ne remplissez les sections 8 à 10 QUE SI la cause porte sur quelque chose d'autre, par exemple :

- une demande d'aliments;
- la modification des aliments;
- l'exécution d'une ordonnance alimentaire ou des dispositions relatives aux aliments d'un contrat familial ou d'un accord de paternité;
- une demande de garde ou de droit de visite dans les cas où le tribunal a ordonné le dépôt d'un état financier;
- la possession exclusive du foyer conjugal ou un autre litige portant sur des biens (à l'exception de l'égélisation des biens familiaux nets).

SECTION 8 : AVOIRS SITUÉS EN ONTARIO ET AILLEURS

SECTION 8 a) : BIENS-FONDS

Indiquez tout intérêt, y compris un intérêt à bail et une hypothèque, sur un bien-fonds dont vous étiez propriétaire à la date du présent état. Indiquez la valeur marchande estimative de votre intérêt, sans en déduire les charges qui le grèvent ou les coûts de disposition, ceux-ci devant être inscrits à la section 9 sous la rubrique «Dettes et autres obligations». VEUILLEZ NE PAS INCLURE LES BIENS-FONDS DONT VOUS N'ÊTES PAS PROPRIÉTAIRE, même si vous réclamez un intérêt sur eux.

Par exemple, si vous mentionnez le foyer conjugal, vous pourriez inscrire «Tenance conjointe» dans la première colonne de gauche; puis, dans la colonne suivante, vous pourriez inscrire «Foyer conjugal, 123, rue Principale, valeur estimative actuelle de 400 000 \$».

Nature et genre du droit de propriété (Indiquez le pourcentage de votre intérêt, le cas échéant.)	Nature, adresse et valeur estimative TOTALE actuelle [Cette valeur totale peut différer de celle de votre part, indiquée dans la dernière colonne, si le bien compte deux propriétaires ou plus.]	Valeur marchande estimative de VOTRE intérêt
161. VALEUR TOTALE DES BIENS-FONDS		

SECTION 8 b) : ARTICLES ET APPAREILS MÉNAGERS DIVERS ET VÉHICULES

Pour les biens de cette nature dont vous êtes propriétaire à la date du présent état, indiquez la valeur marchande estimative, et non la valeur de remplacement. Ne déduisez pas les charges qui les grèvent ou les coûts de disposition ici, ceux-ci devant être inscrits à la section 9 sous la rubrique «Dettes et autres obligations».

ARTICLE	DESCRIPTION	Cochez si l'article n'est PAS en votre possession	Valeur marchande estimative de VOTRE intérêt
Articles et appareils ménagers et ameublement			

Suite à la page suivante ➡

Formule 13 : État financier (page)

Numéro de dossier du greffe.

SECTION 8 b) : ARTICLES ET APPAREILS MÉNAGERS DIVERS ET VÉHICULES			
Voitures, bateaux et autres véhicules			
Bijoux, objets d'art, appareils électroniques, outils, articles de sport et équipement de loisirs			
Autres articles spéciaux			
162. VALEUR TOTALE DES ARTICLES ET APPAREILS MÉNAGERS DIVERS ET DES VÉHICULES			

SECTION 8 c) : COMPTES BANCAIRES ET ÉPARGNE			
Indiquez les articles dont vous êtes propriétaire par catégorie. Veuillez inclure les espèces, les comptes auprès d'établissements financiers, les régimes enregistrés d'épargne-retraite et autres, les récépissés de dépôt, les fonds de pension et toute autre forme d'épargne.			
Catégorie	ÉTABLISSEMENT	Numéro de compte	Montant
163. VALEUR TOTALE DES COMPTES ET DE L'ÉPARGNE			

Suite à la page suivante ➡

Formule 13 : État financier (page)

Numéro de dossier du greffe.

SECTION 8 d) : VALEURS MOBILIÈRES			
Indiquez les articles dont vous êtes propriétaire par catégorie. Veuillez inclure les obligations, les bons de souscription, les droits d'option, les billets et autres valeurs. Indiquez à combien se situerait la valeur marchande, selon votre estimation la plus juste, si ces articles devaient être vendus sur le marché libre.			
Catégorie	Nombre	Description	Valeur marchande estimative
164.VALEUR TOTALE DES VALEURS MOBILIÈRES			

SECTION 8 e) : ASSURANCE-VIE ET INVALIDITÉ					
Énumérez toutes les polices en vigueur.					
Compagnie et numéro de police	Genre de police	Titulaire	Bénéficiaire	Capital assuré	Valeur de rachat actuelle
165.VALEUR DE RACHAT TOTALE DES POLICES D'ASSURANCE					

SECTION 8 f) : INTÉRÊTS DANS UNE ENTREPRISE		
Indiquez tout intérêt dont vous êtes actuellement propriétaire dans une entreprise non constituée en personne morale. Un intérêt majoritaire dans une entreprise constituée en personne morale peut être indiqué ici ou à la section 8 d) sous la rubrique «Valeurs mobilières». Indiquez à combien se situerait la valeur marchande de votre intérêt, selon votre estimation la plus juste, si l'entreprise devait être vendue sur le marché libre.		
Nom de l'entreprise ou de la compagnie	Intérêt	Valeur marchande estimative de VOTRE intérêt
166.VALEUR TOTALE DE VOS INTÉRÊTS DANS UNE ENTREPRISE		

Suite à la page suivante ➡

Formule 13 : État financier (page)

Numéro de dossier du greffe.

SECTION 8 g) : CRÉANCES	
Donnez des précisions sur toutes les sommes que d'autres personnes vous doivent actuellement, que ce soit dans le cadre d'activités commerciales ou à titre personnel. Veuillez inclure tout jugement du tribunal rendu en votre faveur et toute somme à laquelle vous avez droit dans le cadre d'une succession.	
PRÉCISIONS	Montant de la créance
167. TOTAL DES CRÉANCES	

SECTION 8 h) : AUTRES BIENS		
Énumérez les autres biens ou avoirs dont vous êtes propriétaire et que vous n'avez pas mentionnés plus haut. Indiquez la valeur marchande qui vous semble la plus juste.		
CATÉGORIE	PRÉCISIONS	Valeur marchande estimative
168. VALEUR TOTALE DES AUTRES BIENS		
169. VALEUR DE TOUS LES BIENS Additionnez les numéros [161] à [168]		

Formule 13 : État financier (page)

Numéro de dossier du greffe,

SECTION 9 : DETTES ET AUTRES OBLIGATIONS		
<p>Indiquez les dettes et autres obligations que vous avez actuellement, <i>qu'elles soient dans le cadre d'activités commerciales ou à titre personnel</i>. Énumérez-les par catégorie, par exemple les hypothèques, charges, privilèges, billets, cartes de crédit et sommes à payer. N'oubliez pas d'inclure :</p> <ul style="list-style-type: none"> • toute somme que vous devez à Revenu Canada, le cas échéant; • les obligations éventuelles comme les garanties que vous avez données (en précisant qu'elles sont éventuelles); • les frais de justice ou les honoraires non payés découlant de cette cause. 		
CATÉGORIE	PRÉCISIONS	Montant de la dette
170. VALEUR TOTALE DES DETTES ET AUTRES OBLIGATIONS		

SECTION 10 : RÉSUMÉ DES AVOIRS ET DES OBLIGATIONS	
	Sommes
VALEUR TOTALE DES AVOIRS (numéro [169] ci-dessus)	\$
moins VALEUR TOTALE DES OBLIGATIONS (numéro [170] ci-dessus)	\$
171. VALEUR NETTE	\$

REMARQUE : Si vous avez rempli les sections 8 à 10, cette page-ci est la dernière, mis à part les autres documents que vous devez joindre (tels les déclarations de revenus). Veuillez ne pas remplir ni joindre les sections 11 à 16.

Numéro de dossier du greffe.....

ne remplissez pas les sections 11 à 16 mais les sections 8 à 10.

La date d'évaluation est le : (date)

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Formule 13 : État financier (page)

Numéro de dossier du greffe.

SECTION 11 b) : ARTICLES ET APPAREILS MÉNAGERS DIVERS ET VÉHICULES					
Voitures, bateaux et autres véhicules					
Bijoux, objets d'art, appareils électroniques, outils, articles de sport et équipement de lo- sirs					
Autres articles spé- ciaux					
173. VALEUR TOTALE DES ARTICLES ET APPAREILS MÉNAGERS DIVERS ET DES VÉHICULES				\$	

SECTION 11 c) : COMPTES BANCAIRES ET ÉPARGNE					
Indiquez les articles dont vous étiez propriétaire à la date d'évaluation par catégorie. Veuillez inclure les espèces, les comptes auprès d'établissements financiers, les régimes enregistrés d'épargne-retraite et autres, les récépissés de dépôt, les fonds de pension et toute autre forme d'épargne.					
Catégorie	ÉTABLISSEMENT	Numéro de compte	Montant		
			à la date du mariage	à la date d'évaluation	aujourd'hui
174. VALEUR TOTALE DES COMPTES ET DE L'ÉPARGNE				\$	

Suite à la page suivante ➡

Formule 13 : État financier (page)

Numéro de dossier du greffe.

SECTION 11 d) : VALEURS MOBILIÈRES					
Indiquez les articles dont vous étiez propriétaire à la date d'évaluation par catégorie. Veuillez inclure les obligations, les bons de souscription, les droits d'option, les billets et autres valeurs. Indiquez à combien se situerait la valeur marchande, selon votre estimation la plus juste, si ces articles devaient être vendus sur le marché libre.					
Catégorie	Nombre	Description	Valeur marchande estimative		
			à la date du mariage	à la date d'évaluation	aujourd'hui
175. VALEUR TOTALE DES VALEURS MOBILIÈRES				\$	

SECTION 11 e) : ASSURANCE-VIE ET INVALIDITÉ							
Énumérez toutes les polices en vigueur							
Compagnie et numéro de police	Genre de police	Titulaire	Bénéficiaire	Capital assuré	Valeur de rachat		
					à la date du mariage	à la date d'évaluation	aujourd'hui
176. VALEUR DE RACHAT TOTALE DES POLICES D'ASSURANCE						\$	

Suite à la page suivante ➡

Formule 13 : État financier (page)

Numéro de dossier du greffe.....

SECTION 11 f) : INTÉRÊTS DANS UNE ENTREPRISE				
Indiquez tout intérêt dont vous étiez propriétaire à la date d'évaluation dans une entreprise non constituée en personne morale. Un intérêt majoritaire dans une entreprise constituée en personne morale peut être indiqué ici ou à la section 11 d) sous la rubrique «Valeurs mobilières». Indiquez à combien se situerait la valeur marchande de votre intérêt, selon votre estimation la plus juste, si l'entreprise devait être vendue sur le marché libre.				
Nom de l'entreprise ou de la compagnie	Intérêt	Valeur marchande estimative de VOTRE Intérêt		
		à la date du mariage	à la date d'évaluation	aujourd'hui
177. VALEUR TOTALE DE VOS INTÉRÊTS DANS UNE ENTREPRISE			\$	

SECTION 11 g) : CRÉANCES			
Donnez des précisions sur toutes les sommes que d'autres personnes vous devaient à la date d'évaluation, que ce soit dans le cadre d'activités commerciales ou à titre personnel. Veuillez inclure tout jugement du tribunal rendu en votre faveur et toute somme à laquelle vous avez droit dans le cadre d'une succession.			
PRÉCISIONS	Montant de la créance		
	à la date du mariage	à la date d'évaluation	aujourd'hui
178. TOTAL DES CRÉANCES			\$

Formule 13 : État financier (page)

Numéro de dossier du greffe.

SECTION 11 h) : AUTRES BIENS				
Énumérez les autres biens ou avoirs dont vous étiez propriétaire à la date d'évaluation et que vous n'avez pas mentionnés plus haut. Indiquez la valeur marchande qui vous semble la plus juste.				
CATÉGORIE	PRÉCISIONS	Valeur marchande estimative de VOTRE intérêt		
		à la date du mariage	à la date d'évaluation	aujourd'hui
179. VALEUR TOTALE DES AUTRES BIENS			\$	
180. VALEUR DE TOUS LES BIENS DONT VOUS ÉTIEZ PROPRIÉTAIRE À LA DATE D'ÉVALUATION <i>Additionnez les numéros [172] à [179]</i>			\$	

SECTION 12 : DETTES ET AUTRES OBLIGATIONS				
Indiquez les dettes et autres obligations que vous aviez à la date d'évaluation, que ce soit dans le cadre d'activités commerciales ou à titre personnel. Énumérez-les par catégorie, par exemple les hypothèques, charges, privilèges, billets, cartes de crédit et sommes à payer. N'oubliez pas d'inclure :				
<ul style="list-style-type: none"> • toute somme que vous devez à Revenu Canada, le cas échéant; • les obligations éventuelles comme les garanties que vous avez données (en précisant qu'elles sont éventuelles); • les frais de justice ou les honoraires non payés découlant de cette cause. 				
CATÉGORIE	PRÉCISIONS	Montant de la dette		
		à la date du mariage	à la date d'évaluation	aujourd'hui
181. VALEUR TOTALE DES DETTES ET AUTRES OBLIGATIONS			\$	

Suite à la page suivante ➡

Formule 13 : État financier (page)

Numéro de dossier du greffe.

SECTION 13 : BIENS, DETTES ET AUTRES OBLIGATIONS À LA DATE DU MARIAGE		
Indiquez par catégorie la valeur de vos biens et de vos dettes et autres obligations, <i>calculées à la date de votre mariage</i> . VEUILLEZ NE PAS INCLURE LA VALEUR D'UN FOYER CONJUGAL DONT VOUS ÉTIEZ PROPRIÉTAIRE À CE MOMENT-LÀ.		
CATÉGORIE ET PRÉCISIONS	Valeur à la date du mariage	
	Avoirs	Obligations
Biens-fonds (sauf un foyer conjugal dont vous étiez propriétaire à la date du mariage, é moins qu'il n'ait été vendu avant la date de séparation)		
Articles et appareils ménagers divers et véhicules		
Comptes bancaires et épargne		
Valeurs mobilières		
Assurance-vie et invalidité		
Intérêts dans une entreprise		
Créances		
Autres biens (Précisez.)		
Dettes et autres obligations (Précisez.)		
TOTAUX	\$	\$
182. VALEUR NETTE DES BIENS DONT VOUS ÉTIEZ PROPRIÉTAIRE À LA DATE DU MARIAGE (Soustrayez le total indiqué dans la colonne «Obligations» du total indiqué dans la colonne «Avoirs».)	\$	
183. VALEUR DE TOUTES LES DÉDUCTIONS (Additionnez les numéros [181] et [182].)	\$	

SECTION 14 : BIENS EXCLUS		
Indiquez par catégorie la valeur des biens dont vous étiez propriétaire à la date d'évaluation et qui sont exclus de la définition de «biens familiaux nets» (comme les cadeaux ou les héritages que vous avez reçus après votre mariage).		
CATÉGORIE	PRÉCISIONS	Valeur à la date d'évaluation
184. VALEUR TOTALE DES BIENS EXCLUS		\$

Suite à la page suivante →

Formule 13 : État financier (page)

Numéro de dossier du greffe,

SECTION 15 : BIENS DONT IL A ÉTÉ DISPOSÉ		
Indiquez par catégorie la valeur des biens dont vous avez disposé pendant les deux années qui ont précédé immédiatement la séparation.		
CATÉGORIE	PRÉCISIONS	VALEUR
185. VALEUR TOTALE DES BIENS DONT IL A ÉTÉ DISPOSÉ		\$

SECTION 16 : CALCUL DES BIENS FAMILIAUX NETS		
	Déductions	SOLDE
Valeur de tous les biens dont vous étiez propriétaire à la date d'évaluation (numéro [180] ci-dessus)		\$
moins Valeur de toutes les déductions (numéro [183] ci-dessus)	\$	\$
moins Valeur de tous les biens exclus (numéro [184] ci-dessus)	\$	\$
186. BIENS FAMILIAUX NETS		\$

Numéro de dossier du greffe

(Nom du tribunal)

**Formule 13A : Directive à
l'intention du ministère
du Revenu national, Impôt**

situé(e) au _____
Adresse du greffe

Requérant(e)(s)

<p><i>Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>	<p><i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>
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Intimé(e)(s)

<p><i>Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>	<p><i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>
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AU MINISTÈRE DU REVENU NATIONAL :

Je m'appelle (nom et prénom officiels)

J'habite au (dernière adresse connue figurant dans les dossiers d'impôt)

Mon numéro d'assurance sociale est le suivant :

JE VOUS DEMANDE ET VOUS donne l'autorisation d'envoyer à (nom et adresse)

- une copie de ce qui suit :
- a) mes déclarations de revenus pour les années. ;
 - b) les pièces que j'ai jointes à chacune des déclarations pour ces mêmes années;
 - c) les avis de cotisation ou de nouvelle cotisation provenant du ministère pour ces mêmes années.

Signature du contribuable_____
Date de la signature

Numéro de dossier du greffe

(Nom du tribunal)

Formule 13B : État des
biens familiaux nets

situé(e) au

Adresse du greffe

Requérant(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).
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Intimé(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).
---	--

Je m'appelle (nom et prénom officiels)

La date d'évaluation pour les articles suivants est le (date)

(Remplissez les tableaux et inscrivez dans les colonnes réservées à l'époux et à l'épouse la valeur de vos avoirs et de vos dettes et de ceux de votre conjoint.)

Tableau 1 : Valeur des avoirs dont vous étiez propriétaire à la date d'évaluation (Énumérez-les dans l'ordre des catégories figurent dans l'état financier.)		
ARTICLE	ÉPOUX	ÉPOUSE
1.	\$	\$
TOTAL 1		

Suite à la page suivante ➡

Numéro de dossier du greffe

ARTICLE	ÉPOUX	ÉPOUSE
	\$	\$
TOTAL 2		

Tableau 3 : Valeur nette des biens (sauf le foyer conjugal) à la date d'évaluation (Énumérez-les dans l'ordre des catégories figurent dans l'état financier.)		
ARTICLE	ÉPOUX	ÉPOUSE
	\$	\$
TOTAL 3		

587

Formule 13B : État des biens familiaux nets (page 3)

Numéro de dossier du greffe

Tableau 4 : Valeur des biens exclus aux termes du paragraphe 4 (2) de la Loi sur le droit de la famille (Énumérez-les dans l'ordre des catégories figurant dans l'état financier.)		
ARTICLE	ÉPOUX	ÉPOUSE
	\$	\$
TOTAL 4		

TOTAL 2		
TOTAL 3		
TOTAL 4		
TOTAL 5 ((Total 2) + (Total 3) + (Total 4))		

TOTAL 1		
TOTAL 5		
TOTAL 6: BIENS FAMILIAUX NETS ((Total 1) moins (Total 5))		

Signature

Date de la signature

Numéro de dossier du greffe

(Nom du tribunal)

Formule 14 : Avis
de motion

situé(e) au

Adresse du greffe

Requérant(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Intimé(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

AUX PARTIES :

LE TRIBUNAL ENTENDRA UNE MOTION le (date) à (heure) ou dès que possible par la suite, au : (lieu de l'audience)

La personne qui présente la motion ou son avocat doit communiquer avec le greffier du tribunal par téléphone ou autrement pour fixer les date et heure auxquelles le tribunal pourra entendre la motion.

La motion sera présentée par (nom de la personne) qui demandera une ordonnance au tribunal pour le ou les points mentionnés plus bas.

- ☐ Une copie de l'affidavit ou des affidavits à l'appui de la motion est signifiée avec le présent avis.
- ☐ Un avis de conférence relative à la cause visant à modifier une ordonnance est signifié avec le présent avis.

Si ces documents sont omis, vous devriez communiquer avec le greffe immédiatement.

La personne qui présente la motion se fonde également sur les documents suivants qui se trouvent dans le dossier continu : (Énumérez les documents.)

Si vous désirez vous opposer à la motion ou donner votre point de vue, vous devriez parler à votre avocat et préparer votre propre affidavit, le signifier à toutes les autres parties au plus tard 4 jours avant la date indiquée ci-dessus et le déposer au greffe au plus tard 2 jours avant cette date. À l'audition d'une motion, seules les preuves écrites et les preuves par affidavit sont admises, à moins que le tribunal n'autorise les témoignages oraux. Vous pouvez vous faire accompagner par votre avocat.

SI VOUS NE VOUS PRÉSENTEZ PAS À L'AUDIENCE, LE TRIBUNAL PEUT RENDRE UNE ORDONNANCE SANS VOUS ET L'EXÉCUTER CONTRE VOUS.

Date de la signature

Signature de la personne qui présente la motion
ou de son avocat(a)

Dactylographiez ou écrivez en caractères d'imprimerie le nom de la personne ou de son avocat(e), son adresse aux fins de signification, ses numéros de téléphone et de télécopieur et son adresse électronique (le cas échéant).

AVIS À LA PERSONNE QUI PRÉSENTE LA MOTION : Vous DEVEZ déposer une confirmation (formula 14C) au plus tard à 14 heures la veille de la date indiquée ci-dessus. Si la motion a pour but de modifier les paiements passés et futurs d'aliments prévus par une ordonnance qui a été cédée à un organisme gouvernemental, vous devez également lui signifier le présent avis. Si vous ne le faites pas, l'organisme peut demander au tribunal d'annuler toute ordonnance qui est rendue par suite de la motion et de vous condamner aux dépens.

Suite à la page suivante ➡

Formule 14 : Avis de motion (page 2)

Numéro de dossier du greffe.

Indiquez l'ordonnance ou les ordonnances que vous demandez au moyen de la motion.

REMARQUE : Vous devez joindre un *Résumé des causes* (formule 8E) au présent avis de motion.

Numéro de dossier du greffe

(Nom du tribunal)

Formule 14A : Affidavit
(formule générale) daté du

situé(e) au

Adresse du greffe

Requérant(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Intimé(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Je m'appelle (nom et prénom officiels)**J'habite à** (municipalité et province)**et je déclare sous serment/j'affirme solennellement que les renseignements suivants sont véridiques :**

Énumérez les déclarations de fait sous forme de paragraphes numérotés consécutivement. Si possible, chaque paragraphe devrait consister en une seule phrase et se limiter à une déclaration de fait particulière. Si vous avez appris le fait d'une autre personne, vous devez donner son nom et indiquer que vous tenez ce fait pour véridique.

1.

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page.

Suite à la page suivante ➡

Formule 14A : Affidavit (formule générale)
 daté du (date) (page 2)

Numéro de dossier du greffe

Trepez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page.

Déclaré sous serment/Affirmé solennellement devant moi à
 municipalité

en/à/au
 province, État ou pays

le
 date

Commissaire aux affidavits

(Dactylographiez le nom ou écrivez-le en caractères d'imprimerie ci-dessous si la signature est illisible.)

Signature

(La présente formule doit être signée en présence d'un avocat, d'un juge de paix, d'un notaire ou d'un commissaire aux affidavits.)

Numéro de dossier du greffe

(Nom du tribunal)

**Formule 14B : Formule
de motion — pour les
questions simples**

situé(e) au _____
Adresse du greffe

Nom des parties :

Requérant(e) : Intimé(e) :

Nom du ou de la juge responsable

Date d'audience : de la gestion de la cause :

La présente formule est remplie par :

☐ le/la requérant(e) ☐ l'intimé(e) ☐ autre (Précisez.)

La présente motion est présentée :

☐ avec le consentement de toutes les personnes concernées ☐ avec préavis à toutes les personnes concernées — sans contestation

☐ avec préavis à toutes les personnes concernées — ☐ sans préavis
contestation anticipée

Avis à la personne qui présente la motion : S'il s'agit d'une motion en vue de modifier le montant des éléments passés et futurs aux termes d'une ordonnance dont l'exécution est confiée à un organisme gouvernemental, vous devez également signifier le présent avis à cet organisme. Si vous ne le faites pas, l'organisme peut demander au tribunal d'annuler toute ordonnance que vous pourriez obtenir par voie de la présente motion et lui demander de vous condamner aux dépens.

Ordonnance que vous demandez au tribunal : (Au besoin, ajoutez une feuille supplémentaire, mais ne modifiez en rien la présente formule.)

Lois et règles sur lesquelles vous vous fondez : (Indiquez le titre de la loi et les numéros d'article, le titre du règlement et les numéros d'article ainsi que les numéros de règle.)

Suite à la page suivante ➡

Formule 14B : Formule de motion (page 2)

Numéro de dossier du greffe

Je demande au tribunal de traiter la présente motion :☐ en se fondant uniquement sur des documents écrits.☐ à une audience à laquelle peuvent se présenter les personnes concernées.☐ par voie de conférence téléphonique (*Il faut prendre rendez-vous pour une telle conférence; voir la règle 14 des Règles en matière de droit de la famille.*)**Aux fins de la présente motion, je me fonde sur les documents suivants :**☐ Les onglets/pages du dossier continu☐ Les pages de la transcription du témoignage de (*nom de la personne*)
....., datée du
(*Les parties pertinentes de la transcription doivent être mises en évidence.*)

Avocat de la présente partie (*Indiquez le nom de votre avocat(e), son cabinet, ses numéros de téléphone et de télécopieur et son adresse électronique. Si vous n'avez pas d'avocat, indiquez votre nom, votre adresse aux fins de signification, vos numéros de téléphone et de télécopieur et votre adresse électronique.*)

Avocat de l'autre partie (*Indiquez le nom de l'avocat(e) de l'autre partie, son cabinet, ses numéros de téléphone et de télécopieur et son adresse électronique. Si elle n'a pas d'avocat, indiquez son nom, son adresse aux fins de signification, ses numéros de téléphone et de télécopieur et son adresse électronique.*)

Signature

Date de la signature

Numéro de dossier du greffe

(Nom du tribunal)

Formule 14C :
Confirmation

situé(e) au

Adresse du greffe

Requérant(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Intimé(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

1. Je m'appelle (nom et prénom officiels)
et je suis ☐ l'avocat(e) de (nom)
☐ (Autre. Précisez.)
2. ☐ Je n'ai pas pu communiquer avec l'avocat(e) de la partie adverse dans cette cause ni avec la partie même pour confirmer les questions énoncées aux points 3 à 7 ci-dessous parce que : (Donnez les raisons pour lesquelles vous n'avez pu communiquer avec l'autre partie.)

☐ J'ai communiqué avec l'avocat(e) de la partie adverse ou avec la partie même et confirmé les questions énoncées aux points 3 à 7 ci-dessous.
3. Les date et heure de cette :
☐ motion ☐ conférence de cas ☐ conférence en vue d'un règlement ☐ conférence de gestion du procès
sont le (date) à (heure)
4. Cette affaire va de l'avant ☐ à l'égard de toutes les questions en litige.
☐ à l'égard des questions en litige suivantes seulement : (Précisez.)

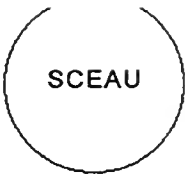
☐ en vue d'obtenir une ordonnance de consentement relativement à (Précisez.)
☐ en vue d'obtenir un ajournement sur consentement au (date) parce que
(Indiquez les motifs de l'ajournement.)

☐ en vue d'obtenir un ajournement contesté au (date) demandé par
(nom de la personne qui demande l'ajournement) parce que
(Indiquez les motifs de l'ajournement.)
5. Le juge devrait lire les pages/onglets. du dossier continu.
6. Durée estimative : ☐ requérant(e) minutes; ☐ intimé(e) minutes.

Formule 14C : Confirmation (page 2)

Numéro de dossier du greffe

7. Le ou la juge responsable de la gestion de la cause est (*nom du juge*)_____
*Signature de l'avocat(e) ou de la partie*_____
Date de la signature



(Nom du tribunal)

Numéro de dossier du greffe

Formule 14D : Ordonnance sur motion présentée sans préavis

situé(e) au

Adresse du greffe

Requérant(e)(s)

<i>Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i>	<i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i>

Juge (imprimez le nom en caractères d'imprimerie ou dactylographiez-le)

Date de l'ordonnance

Intimé(e)(s)

<i>Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i>	<i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i>

Le tribunal a entendu une motion présentée par (nom de la ou des personnes qui ont présenté la motion)

sans en donner préavis à (nom)

Les personnes suivantes étaient présentes au tribunal (nom des parties et des avocats présents au tribunal au moment de l'audition de la motion)

Aux fins de la motion, le tribunal a lu (énumérez les documents déposés à l'appui de la motion)

Le tribunal a également reçu et entendu des observations pour le compte de (nom(s))

LE TRIBUNAL ORDONNE CE QUI SUIT :

**Formule 14D : Ordonnance sur motion présentée
sans préavis (page 2)**

Numéro de dossier du greffe

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page.

Date de la signature

Signature du juge ou du greffier du tribunal

AVIS À (nom)

La présente ordonnance a été rendue sans qu'il vous en soit donné préavis. Si vous désirez que le tribunal la modifie, vous devez agir aussi rapidement que possible après que vous en aurez pris connaissance, en signifiant un affidavit et un avis de motion aux autres parties et en les déposant au greffe avec une preuve de leur signification.

Numéro de dossier du greffe

(Nom du tribunal)

situé(e) au

Adresse du greffe

**Formule 15 : Formule
de renseignements visant
une modification (motion
en modification des
aliments pour les enfants)**

Bénéficiaire(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Payeur ou payeuse

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

SECTION 1 — RENSEIGNEMENTS GÉNÉRAUX

(La partie qui demande la modification de l'ordonnance alimentaire doit remplir cette section au mieux de ses compétences.)

Je m'appelle (nom et prénom officiels)

J'habite à (municipalité et province)

et je déclare sous serment/j'affirme solennellement que les renseignements suivants sont véridiques :

1. Je suis ☐ le ou la bénéficiaire des aliments ☐ le payeur ou la payeuse des aliments
2. Le payeur ou la payeuse, (nom et prénom officiels) ,
est né(e) le (date de naissance) , habite à (municipalité et province)
et, à l'heure actuelle : ☐ est marié(e) ☐ vit dans une union conjugale
☐ est séparé(e) ☐ (Autre. Précisez.)
3. Le ou la bénéficiaire, (nom et prénom officiels) ,
est né(e) le (date de naissance) , habite à (municipalité et province)
et, à l'heure actuelle ☐ est marié(e) ☐ vit dans une union conjugale
☐ est séparé(e) ☐ (Autre. Précisez.)
4. Le payeur ou la payeuse et le ou la bénéficiaire :
☐ se sont mariés le (date) ☐ ont commencé à vivre ensemble le (date)
☐ se sont séparés le (date) ☐ n'ont jamais vécu ensemble
5. Le tableau suivant donne les renseignements de base au sujet de l'enfant ou des enfants concernés par cette cause :
Énumérez tous les enfants concernés, même ceux pour lesquels des aliments ne sont pas demandés.

Suite à la page suivante ➡

**Formule 15 : Formule de renseignements
visant une modification (motion en modification des
aliments pour les enfants) (page 2)**

Numéro de dossier du greffe

Nom et prénom officiels de l'enfant	Âge	Date de naissance	Habite à (municipalité et province)	Habite maintenant avec (nom de la personne et lien de parenté avec l'enfant)	Des aliments sont-ils demandés? (OUI ou NON)

6. Les arrangements quant au droit de visite sont les suivants :

Nom de l'enfant	Arrangements quant au droit de visite

7. Je joins une copie de ☐ l'ordonnance
☐ l'accord

qui traite des aliments à modifier, dont voici les précisions :

Date de l'ordonnance ou de l'accord	Aliments actuels	Autres conditions des aliments (comme les augmentations au coût de la vie)	Aliments actuels pour le conjoint, le cas échéant
 \$ par \$ par

8. Voici où en sont les paiements prévus par l'ordonnance ou l'accord :

Aliments pour les enfants dus au ou à la bénéficiaire	Aliments pour les enfants dus à d'autres (comme le ministère des Services sociaux et communautaires)	Aliments pour le conjoint dus au ou à la bénéficiaire	Aliments pour le conjoint dus à d'autres (comme le ministère des Services sociaux et communautaires)
\$	\$	\$	\$

(Si une somme est due, joignez un état des sommes dues (formule 26).)

Suite à la page suivante ➡

**Formule 15 : Formule de renseignements
visant une modification (motion en modification des
aliments pour les enfants) (page 3)**

Numéro de dossier du greffe

9. L'ordonnance ou l'accord ☐ n'a jamais été
☐ a été

cédé ☐ au ministère des Services sociaux et communautaires de l'Ontario
☐ à la municipalité de (nom)
☐ (Autre. Précisez.)

Les détails de cette cession sont les suivants : (Indiquez la date de la cession, dites si elle est toujours en vigueur et ajoutez tout autre renseignement dont vous avez connaissance.)

10. Je demande la modification des aliments indiqués dans l'ordonnance ou l'accord parce que :

- ☐ l'ordonnance a été rendue ou l'accord a été conclu avant l'entrée en vigueur des lignes directrices applicables sur les aliments pour les enfants.
☐ un changement important de circonstances est survenu. (Précisez la nature du changement)

11. Je demande que les aliments soient calculés comme suit :

- ☐ la somme de base figurant dans la table des lignes directrices sur les aliments pour les enfants, soit \$ (indiquez le montant si possible) par mois pour (nombre d'enfants) enfant(s) compte tenu du revenu annuel total de \$ (indiquez le montant si possible) du payeur ou de la payeuse, à compter du (date)
☐ les dépenses spéciales ou extraordinaires suivantes (suppléments)

Nom de l'enfant	Genre de dépense	Somme	Part du payeur ou de la payeuse	Contribution de l'enfant	Date d'échéance (si elle est connue)
		\$	\$	\$	
		\$	\$	\$	
		\$	\$	\$	

- ☐ une somme de \$ par mois, qui est différente de celle figurant dans la table des lignes directrices sur les aliments pour les enfants, à compter du (date)

Je demande une somme différente pour la ou les raisons suivantes :

- ☐ les parties consentent à une somme différente.
- ☐ Je joins une feuille distincte où j'explique pourquoi cet arrangement est raisonnable pour l'enfant ou les enfants.
 - ☐ Le ou la bénéficiaire reçoit des prestations d'aide sociale d'un organisme public qui doit consentir à cet arrangement. Je joins son consentement à la présente formule.
- ☐ comme le montrent les points 5 et 6 ci-dessus, les parties ont la garde partagée de l'enfant ou des enfants (le payeur ou la payeuse a un enfant avec lui ou elle au moins 40 % du temps)
- ☐ Je joins une feuille distincte où je compare les sommes figurant dans la table des lignes directrices sur les aliments pour les enfants pour chacune des parties et où je montre l'augmentation du coût de l'arrangement quant à la garde partagée ainsi que la situation financière de chaque partie et de chaque enfant pour lequel des aliments sont demandés.
 - ☐ Les parties consentent à cet arrangement et je joins une feuille distincte où j'explique pourquoi il est raisonnable pour l'enfant ou les enfants.
- ☐ comme le montre le point 5 ci-dessus, les parties ont chacune la garde d'un ou de plusieurs enfants. Je joins une feuille distincte où j'indique la différence entre la somme que chaque partie paie actuellement et la somme qu'elle

Suite à la page suivante ➡

**Formule 15 : Formule de renseignements
visant une modification (motion en modification des
aliments pour les enfants) (page 4)**

Numéro de dossier du greffe

aurait à payer à l'autre autrement aux termes des lignes directrices.

- ☐ un enfant a 18 ans ou plus et je joins une feuille distincte où j'indique le montant des aliments pour cet enfant.
- ☐ un enfant subvient en partie à ses besoins et je joins une feuille distincte où j'indique son revenu.
- ☐ le revenu annuel du payeur ou de la payeuse dépasse 150 000 \$ et je joins une feuille distincte où j'indique le montant des aliments que je désire voir inclure dans une ordonnance.
- ☐ aux termes de l'ordonnance ou de l'accord, (*nom de l'enfant*) fait l'objet de dispositions spéciales que j'explique sur une feuille distincte ci-jointe.
- ☐ le payeur ou la payeuse tient lieu de père naturel ou de mère naturelle de (*nom de l'enfant*) et je joins une feuille distincte où je précise l'obligation qu'a un autre père ou une autre mère de payer des aliments pour cet enfant et où j'indique le montant des aliments demandés.
- ☐ la somme indiquée dans les lignes directrices sur les aliments pour les enfants nous occasionnerait des difficultés excessives, à moi-même ou à l'enfant ou aux enfants pour lesquels les aliments sont demandés. Je joins une feuille distincte où je compare le niveau de vie des parties.

12. Je demande que les aliments dus soient payés comme suit :

- ☐ les aliments dus à (*nom du ou de la bénéficiaire*) devraient être fixés à \$
au (*date*) et être payés à raison de \$
par mois à compter du (*date*)
- ☐ les aliments qui sont dus à (*nom de l'organisme ou de l'autre personne*) devraient être fixés à \$
au (*date*) et être payés à raison de \$
par mois à compter du (*date*)

Déclaré sous serment/Affirmé solennellement devant moi à
municipalité

à/en/au
province, État ou pays

le
date
Commissaire aux affidavits
(Dactylographiez le nom ou écrivez-le en caractères d'imprimerie ci-dessous si la signature est illisible.)

Signature

(La présente formule doit être signée en présence d'un avocat, d'un juge de paix, d'un notaire ou d'un commissaire aux affidavits.)

SECTION 2 — RENSEIGNEMENTS SUR LE PAYEUR OU LA PAYEUSE DES ALIMENTS

Je m'appelle (*nom et prénom officiels*)

J'habite à (*municipalité et province*)

et je déclare sous serment/J'affirme solennellement que les renseignements suivants sont véridiques :

13. Je suis le payeur ou la payeuse des aliments dans cette cause.

14. Mon revenu total sera de \$ cette année.

15. Compte tenu de mon revenu annuel, le somme qui figure dans la table des lignes directrices sur les aliments pour les enfants à l'égard de (*nombre d'enfants*)
enfant(s) est de \$ par mois.

16. Mon état financier ☐ est joint ☐ n'est pas joint.

(REMARQUE : Vous n'avez pas besoin de joindre d'état financiers si vous-même et l'autre partie avez signé un consentement selon la formule 15A. Néanmoins, étant donné que les lignes directrices sur les aliments pour les enfants établissent une nouvelle façon de calculer le montant des aliments, VOUS DEVEZ FOURNIR AU TRIBUNAL DE NOUVEAUX RENSEIGNEMENTS SUPPLÉMENTAIRES. Ce montant figure dans une table qui tient compte du revenu annuel du payeur ou de la payeuse et du nombre d'enfants qui ont droit à des aliments. Dans certaines conditions, il peut également être tenu compte du revenu annuel du ou de la bénéficiaire, qui doit alors fournir au tribunal les mêmes renseignements supplémentaires aux points 19 et 20 ci-dessous.)

17. Je joins les renseignements financiers suivants à mon sujet :

Suite à la page suivante ➔

**Formule 15 : Formule de renseignements
visant une modification (motion en modification des
aliments pour les enfants) (page 5)**

Numéro de dossier du greffe

- a) une copie des déclarations de revenus personnelles que j'ai remises à Revenu Canada pour les 3 dernières années d'imposition;
- b) une copie des avis de cotisation ou de nouvelle cotisation que j'ai reçus de Revenu Canada à l'égard de ces déclarations;
- c) ☐ [ne s'applique que si vous êtes un(e) employé(e)] une preuve des gains que j'ai tirés d'un emploi cette année comme l'exige l'alinéa 21 (1) c) des lignes directrices sur les aliments pour les enfants.
- ☐ [ne s'applique que si vous êtes un travailleur/un travailleur indépendant(e), si vous êtes membre d'une société de personnes ou si vous contrôlez une société ou êtes bénéficiaire d'une fiducie] les documents énumérés à l'alinéa 21 (1) d), e), f) ou g) des lignes directrices sur les aliments pour les enfants.

Déclaré sous serment/Affirmé solennellement devant moi à
municipalité

à/en/au
province, État ou pays

le
date
Commissaire aux affidavits
(Dactylographiez le nom ou écrivez-le en caractères d'imprimerie ci-dessous si la signature est illisible.)

Signature
(La présente formule doit être
signée en présence d'un avocat,
d'un juge de paix, d'un notaire ou
d'un commissaire aux affidavits.)

**Formule 15 : Formule de renseignements
visant une modification (motion en modification des
aliments pour les enfants) (page 6)**

Numéro de dossier du greffe

SECTION 3 — RENSEIGNEMENTS SUR LE OU LA BÉNÉFICIAIRE DES ALIMENTS

Étant donné que les lignes directrices sur les aliments pour les enfants établissent une nouvelle façon de calculer le montant des aliments, VOUS DEVEZ FOURNIR AU TRIBUNAL DE NOUVEAUX RENSEIGNEMENTS SUPPLÉMENTAIRES. Ce montant figure dans une table qui tient compte du revenu annuel du payeur ou de la payeuse et du nombre d'enfants qui ont droit à des aliments. Dans certaines conditions, il peut également être tenu compte du revenu annuel du ou de la bénéficiaire, qui doit alors fournir au tribunal les mêmes renseignements supplémentaires aux points 19 et 20 ci-dessous.

Je m'appelle (nom et prénom officiels)

J'habite à (municipalité et province)

et je déclare sous serment/j'affirme solennellement que les renseignements suivants sont véridiques :

18. Je suis le ou la bénéficiaire des aliments dans cette cause.

Remplir les points 19 et 20 seulement si :

- vous demandez une somme différente de celle qui est calculée à partir de la table pertinente des lignes directrices sur les aliments pour les enfants;
- la modification que vous demandez concerne un enfant de plus de 18 ans, un enfant pour lequel le payeur ou la payeuse tient lieu de père ou de mère ou un enfant à l'égard duquel le payeur ou la payeuse a un droit de visite ou la garde physique pendant au moins 40 % du temps au cours de l'année;
- chaque partie a la garde d'un ou de plusieurs enfants;
- le revenu annuel du payeur ou de la payeuse, calculé aux termes des lignes directrices, dépasse 150 000 \$;
- l'une ou l'autre partie prétend qu'une ordonnance fixant la somme à celle qui figure dans les lignes directrices occasionnerait des difficultés excessives.

19. Mon revenu total :

- ☐ sera de \$ cette année;
- ☐ était de \$ l'année dernière;
- ☐ était de \$ l'année d'avant.

20. Je joins les renseignements financiers suivants à mon sujet :

- a) une copie des déclarations de revenus personnelles que j'ai remises à Revenu Canada pour les 3 dernières années d'imposition;
- b) une copie des avis de cotisation ou de nouvelle cotisation que j'ai reçus de Revenu Canada à l'égard de ces déclarations;
- c) ☐ [ne s'applique que si vous êtes un(e) employé(e)] une preuve des gains que j'ai tirés d'un emploi cette année comme l'exige l'alinéa 21 (1) c) des lignes directrices sur les aliments pour les enfants.
- ☐ [ne s'applique que si vous êtes un travailleur/une travailleuse indépendant(e), si vous êtes membre d'une société de personnes ou si vous contrôlez une société ou êtes bénéficiaire d'une fiducie] les documents énumérés à l'alinéa 21 (1) d), e), f) ou g) des lignes directrices sur les aliments pour les enfants.

21. Mon état financier ☐ est joint ☐ n'est pas joint

(REMARQUE : Vous n'avez pas besoin de joindre d'état financier si vous-même et l'autre partie avez signé un consentement selon la formule 15A.)

Déclaré sous serment/Affirmé solennellement devant moi à

municipalité

à/en/au

province, État ou pays

le

date

Commissaire aux affidavits

(Dactylographiez le nom ou écrivez-le en caractères d'imprimerie ci-dessous si la signature est illisible.)

Signature

(La présente formule doit être signée en présence d'un avocat, d'un juge de paix, d'un notaire ou d'un commissaire aux affidavits.)

Numéro de dossier du greffe

(Nom du tribunal)

situé(e) au

Adresse du greffe

Formule 15A :
Consentement
des aliments pour les
enfants)

Bénéficiaire(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Payeur ou payeuse

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

NE SIGNEZ PAS LE PRÉSENT CONSENTEMENT AVANT QUE LES DEUX PARTIES N'AIENT REMPLI LES SECTIONS 1, 2 ET 3 DE LA FORMULE 15 — Formule de renseignements visant une modification (motion en modification des aliments pour les enfants)—ET JOINT TOUTS LES DOCUMENTS NÉCESSAIRES. VOUS DEVRIEZ ÉGALEMENT CONSULTER UN AVOCAT AVANT DE SIGNER.

1. Nous avons tous les deux lu et rempli la formule 15 (Formule de renseignements visant une modification (motion en modification des aliments pour les enfants)) et nous la comprenons.

2. Nous savons que nous avons tous les deux le droit de consulter notre avocat au sujet de cette cause.

3. ☐ Nous avons joint nos états financiers à la formule 15.

☐ Nous nous sommes mis d'accord pour ne pas déposer d'état financier auprès du tribunal.

4. Le montant des aliments sur lequel nous sommes d'accord est :

Le point 4
s'applique
uniquement aux
ordonnances
alimentaires
rendues en vertu de
la Loi sur le droit de
la famille.

☐ égal ou supérieur à celui qui figure dans les lignes directrices sur les aliments pour les enfants.

☐ inférieur à celui qui figure dans les lignes directrices sur les aliments pour les enfants. Le ou la bénéficiaire

☐ reçoit ☐ ne reçoit pas

des prestations d'aide sociale.

5. Nous sommes d'accord pour que les aliments soient modifiés comme suit :

☐ la somme de base figurant dans la table des lignes directrices sur les aliments pour les enfants, soit \$
(indiquez le montant si possible) par mois pour (nombre d'enfants) enfant(s) compte tenu du revenu annuel total
de \$ (indiquez le montant si possible) du payeur ou de la payeuse, à compter du (date)

☐ les dépenses spéciales ou extraordinaires suivantes (suppléments) :

Suite à la page suivante ➡

**Formule 15A : Consentement (motion en modification des aliments
pour les enfants) (page 2)**

Numéro de dossier du greffe.

Nom de l'enfant	Genre de dépense	Somme	Pert du payeur ou de la payeuse	Date d'échéance (si elle est connue)
		\$	\$	
		\$	\$	
		\$	\$	

☐ une somme de \$ par mois, qui est différente de celle figurant dans la table des lignes directrices sur les aliments pour les enfants, à compter du (date)

6. Nous sommes également d'accord pour que les aliments dus soient payés comme suit :

- ☐ les aliments qui sont dus à (nom du ou de la bénéficiaire) devraient être fixés à \$ au (date) et être payés à raison de \$ par mois à compter du (date)
- ☐ les aliments qui sont dus à (nom de l'organisme ou de l'autre personne) devraient être fixés à \$ au (date) et être payés à raison de \$ par mois à compter du (date)

Les parties n'ont pas besoin de signer le présent consentement le même jour, mais chacune d'elles doit le signer en présence d'un témoin qui signe à son tour tout de suite après.

Signature du payeur ou de la payeuse	Signature du ou de la bénéficiaire ou de son ou de sa cessionnaire
Date de la signature	Date de la signature
Dactylographiez le nom du témoin à la signature ou écrivez-le en caractères d'imprimerie	Dactylographiez le nom du témoin à la signature ou écrivez-le en caractères d'imprimerie
Signature du témoin	Signature du témoin

Numéro de dossier du greffe

(Nom du tribunal)

Formule 17 : Mémoire de
conférence relative
à la cause

situé(e) au _____
Adresse du greffe

(Nom de la personne qui dépose le présent mémoire)

(Date de la conférence relative à la cause)

Requérant(e)	Intimé(e)
Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).
Lien de parenté avec l'intimé(e).	Lien de parenté avec le/la requérant(e).
Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

REMARQUE : LES MÉMOIRES DE CONFÉRENCE RELATIVE À LA CAUSE DOIVENT ÊTRE ÉCHANGÉS 7 JOURS AU MOINS AVANT LA CONFÉRENCE. ILS SERONT RETOURNÉS À LA FIN DE CELLE-CI OU DÉTRUITS IMMÉDIATEMENT PAR LE PERSONNEL DU GREFFE.

REMARQUE : Vous pouvez laisser en blanc toute partie non applicable de la présente formule.

SECTION 1 : QUESTIONS EN LITIGE

- 1. Quelles sont les questions en litige dans cette cause qui n'ont PAS encore été réglées :
 - ☐ garde d'enfant ☐ droit de visite ☐ aliments pour les enfants ☐ protection des enfants
 - ☐ aliments pour le conjoint ☐ partage des biens ☐ propriété de biens ☐ possession du foyer
 - ☐ ordonnance de ne pas faire ☐ (Autre. Précisez.)
- 2. Certaines de ces questions sont-elles urgentes au point où une ordonnance temporaire ou une autre mesure du tribunal est nécessaire?
 - ☐ Non ☐ Oui (Précisez.)
- 3. Quelles sont les questions en litige dans cette cause qui ONT été réglées :
 - ☐ garde d'enfant ☐ droit de visite ☐ aliments pour les enfants ☐ protection des enfants
 - ☐ aliments pour le conjoint ☐ partage des biens ☐ propriété de biens ☐ possession du foyer
 - ☐ ordonnance de ne pas faire ☐ (Autre. Précisez.)
- 4. Certaines des questions qui ont été réglées font-elle l'objet d'une ordonnance du tribunal ou d'un accord écrit?
 - ☐ Non
 - ☐ Oui ☐ une ordonnance
 - ☐ un accord écrit du (date de l'accord)

(Joignez une copie de tout accord que le juge devrait lire pour se préparer à la conférence relative à la cause.)
- 5. Y a-t-il eu tentative de réconciliation?
 - ☐ Non ☐ Il n'existe aucune possibilité de réconciliation ☐ Oui (Précisez.)

Suite à la page suivante ➡

Formule 17 : Mémoire de conférence relative à la cause (page 2) Numéro de dossier du greffe**SECTION 2 : MARIAGE, COHABITATION ET SÉPARATION**

Dans les causes portant sur la protection d'un enfant, donnez uniquement ici les renseignements se rapportant à l'intimé(e) ou aux Intimé(e)s — généralement le père ou la mère, ou les deux.

6. Requérent(e) : Âge : Date de naissance :

Habite à (municipalité et province)

depuis le (date)

Nom de famille à la naissance : Nom de famille immédiatement avant le mariage :

Déjà divorcé(e)? ☐ Non ☐ Oui

Si oui, indiquez les lieu et date du divorce précédent :

7. Intimé(e) : Âge : Date de naissance :

Habite à (municipalité et province)

depuis le (date)

Nom de famille à la naissance : Nom de famille immédiatement avant le mariage :

Déjà divorcé(e)? ☐ Non ☐ Oui

Si oui, indiquez les lieu et date du divorce précédent :

8. LIEN ENTRE LES PARTIES :

☐ Nous nous sommes mariés le (date)

☐ Nous avons commencé à vivre ensemble le (date)

☐ Nous nous sommes séparés le (date)

☐ Nous n'avons jamais vécu ensemble

☐ Nous sommes toujours ensemble

9. Au moment de la séparation, existait-il des arrangements écrits ou verbaux entre les parties?

☐ Non

☐ Oui (Donnez des précisions, y compris le date de l'arrangement, le nom de la partie qui habite actuellement dans le foyer conjugal, le moment où l'autre partie a déménagé et les circonstances particulières du déménagement. Si une partie quelconque de l'arrangement a été consignée par écrit, joignez-en une copie.)

SECTION 3 : ENFANTS

10. Les renseignements de base sur l'enfant ou les enfants sont les suivants :

Nom et prénom officiels de l'enfant	Âge	Date de naissance (jour, mois, année)	Année et école	Habite actuellement avec

Suite à la page suivante ➡

Formule 17 : Mémoire de conférence relative à la cause (page 3) Numéro de dossier du greffe11. Les arrangements quant au droit de visite sont les suivants : *(Donnez des précisions à côté du nom de chaque enfant.)*

Nom de l'enfant

Arrangements quant au droit de visite

.....
.....
.....
.....
.....
.....
.....

12. Y a-t-il des préoccupations particulières au sujet de l'enfant ou des enfants *(sur le plan de la santé ou des études, par exemple)* dont le juge qui préside la conférence relative à la cause devrait avoir connaissance?☐ Non☐ Oui *(Donnez des précisions à côté du nom de chaque enfant.)*

Nom de l'enfant

Préoccupation ou problème

.....
.....
.....

13. Demandez-vous que l'arrangement actuel quant à la garde et au droit de visite soit modifié?

☐ Non☐ Oui *(Précisez.)*

14. Croyez-vous qu'une évaluation de la garde ou du droit de visite est nécessaire dans cette cause?

☐ Non☐ Oui

Si «oui», avez-vous besoin d'une ordonnance du tribunal pour pouvoir procéder à une évaluation?

☐ Non☐ Oui

15. Le Bureau de l'avocat des enfants devrait-il intervenir dans cette cause en ce qui concerne un ou plusieurs enfants?

☐ Non☐ Oui

16. Avez-vous assisté à une réunion d'information sur le droit de la famille?

☐ Non☐ Oui, le (date)17. *(Causes portant sur la protection d'un enfant seulement.)*

Une des parties a-t-elle préparé un programme de soins pour les enfants?

☐ La société d'aide à l'enfance☐ L'intimé(e) ou les Intimé(e)s☐ Personne*(Joignez-en une copie à moins qu'elle ne fasse déjà partie du dossier continu, auquel cas indiquez le ou les numéros d'onglet ou de page)***SECTION 4 : RENSEIGNEMENTS FINANCIERS***Ne remplissez pas cette section dans les causes portant sur la protection d'un enfant à moins que la société d'aide à l'enfance ne demande des aliments, auquel cas n'indiquez que les renseignements se rapportent aux intimé(e)s.*

18. Le revenu annuel brut du/de la requérant(e) est de \$

Le revenu annuel brut de l'intimé(e) est de \$

19. Les détails de ce revenu (placements, fiducies, salaires, commissions, temps supplémentaire) sont les suivants :

Suite à la page suivante ➡

Formule 17 : Mémoire de conférence relative à la cause (page 4) Numéro de dossier du greffe

Requérant(e)		Intimé(e)	
Provenance	Somme	Provenance	Somme

SECTION 5 : BIENS

Passez à la section 6 dans les causes portant sur la protection d'un enfant

20. J'habite dans ☐ une maison ☐ un appartement ☐ (Autre. Précisez.)☐ que je loue ☐ dont je suis propriétaire

(Si vous ne louez pas votre domicile, donnez les renseignements ci-dessous.)

☐ Je suis l'unique propriétaire du domicile.☐ (Nom) et moi-même sommes propriétaires du domicile.☐ (Nom) est l'unique propriétaire.☐ (Autre. Précisez.)

Le bien est-il hypothéqué?

☐ Non ☐ Oui, et il reste \$ à payer.

21. Les parties se sont-elles mises d'accord sur la date de séparation?

☐ Non ☐ Oui, la (date)

22. Les parties se sont-elles mises d'accord sur la valeur d'une partie ou de la totalité des avoirs à la date de la séparation?

☐ Non☐ Oui (Énumérez les avoirs et la valeur sur laquelle vous vous êtes mis d'accord. Au besoin, joignez des feuilles supplémentaires.)

23. Si les parties ne sont pas d'accord sur la valeur d'une partie ou de la totalité des avoirs, s'entendent-elles sur la personne qui va procéder à l'évaluation?

☐ Non ☐ Oui. L'évaluateur ou l'évaluatrice s'appelle (nom)24. La propriété d'une partie ou de la totalité des avoirs est-elle contestée? ☐ Non ☐ Oui

(Dans le tableau ci-dessous, énumérez les avoirs dont la propriété n'est pas contestée. Énumérez ensuite ceux dont la propriété est contestée.)

Propriété du/de la requérant(e)		Propriété de l'intimé(e)		Propriété conjointe	
Description de l'avoir	Valeur	Description de l'avoir	Valeur	Description de l'avoir	Valeur

Formule 17 : Mémoire de conférence relative à la cause (page 5) Numéro de dossier du greffe

Propriété du/de la requérant(e)		Propriété de l'intimé(e)		Propriété conjointe	
Description de l'avoir	Valeur	Description de l'avoir	Valeur	Description de l'avoir	Valeur

(Énumérez les avoirs dont la propriété est contestée.)

25. La question de savoir qui est censé payer les dettes des parties est-elle contestée?

- ☐ Non (Ne remplissez pas le tableau ci-dessous.) ☐ Oui (Précisez dans le tableau ci-dessous.)

Créancier	Raison de l'endettement	Somme impayée

SECTION 6 : QUESTIONS RELATIVES AUX ALIMENTS

Ne remplissez pas cette section dans les causes portant sur la protection d'un enfant à moins que la société d'aide à l'enfance ne demande des aliments, auquel cas n'indiquez que les renseignements se rapportant aux intimé(e)s.

26. Y a-t-il un accord ou une ordonnance du tribunal visant les aliments pour les enfants?

- ☐ Non
☐ Oui, ☐ un accord ☐ une ordonnance du tribunal

du (date) qui prévoit des

aliments de \$ par pour (nombre d'enfants) enfant(s), lesquels

- ☐ sont versés en entier ☐ ne sont pas versés en entier. (Joignez un état des sommes dues — formule 26.)

27. Y a-t-il quelqu'un d'autre qui subvient aux besoins de l'enfant ou des enfants?

- ☐ Non
☐ Oui. Cette autre personne s'appelle

28. Une des parties subvient-elle aux besoins d'un ancien conjoint ou d'un ou plusieurs enfants nés d'une autre union?

- ☐ Non
☐ Oui (Précisez.)

29. Des aliments sont demandés pour les enfants suivants :

Suite à la page suivante ➡

Formule 17 : Mémoire de conférence relative à la cause (page 6) Numéro de dossier du greffe

Nom de l'enfant	Âge	Dépenses spéciales ou extraordinaires de l'enfant (suppléments)

30. Y a-t-il un accord ou une ordonnance du tribunal visant les aliments pour le conjoint?

- ☐ Non
☐ Oui, ☐ un accord ☐ une ordonnance du tribunal

du (date) qui prévoit des aliments pour le conjoint de

..... \$ par , lesquels

- ☐ sont versés en entier ☐ ne sont pas versés en entier. (Joignez un état des sommes dues — formule 26.)

31. Des aliments pour le conjoint sont-ils demandés dans cette cause?

- ☐ Non
☐ Oui, par (nom de la personne) , qui demande
..... \$ par

32. Y a-t-il des problèmes de santé qui risquent d'avoir une incidence sur les aliments dont les parties ont besoin ou sur leur capacité d'en payer?

- ☐ Non
☐ Oui (Joignez une copie de tout rapport médical ou autre dossier de santé pertinent.)

33. Donnez les renseignements suivants au sujet de l'emploi :

	Requérant(e)	Intimé(e)
Situation	<input type="checkbox"/> employé(e) <input type="checkbox"/> travailleur/travailleuse indépendant(e) <input type="checkbox"/> en congé d'invalidité <input type="checkbox"/> sans emploi	<input type="checkbox"/> employé(e) <input type="checkbox"/> travailleur/travailleuse indépendant(e) <input type="checkbox"/> en congé d'invalidité <input type="checkbox"/> sans emploi
Métier ou profession		
Depuis quand êtes-vous sans emploi ou en congé d'invalidité, le cas échéant?		
Projets de recyclage ou de perfectionnement		

—— SECTION 7 : AUTRES QUESTIONS EN LITIGE ——

34. Des ordonnances de divulgation ont-elles besoin d'être rendues dans cette cause?

- ☐ Non

Formule 17 : Mémoire de conférence relative à la cause (page 7) Numéro de dossier du greffe

- ☐ Oui ☐ Évaluation de la pension de (nom de la partie)
☐ (Autre. Précisez.)

35. Y a-t-il d'autres questions ou préoccupations dont le juge qui préside la conférence relative à la cause devrait avoir connaissance?

- ☐ Non
☐ Oui (Précisez.)

36. Quelles sont les dates des prochaines étapes de cette cause d'ici la conférence en vue d'un règlement amiable?

Étapes de la cause	Date

37. Quand pourrez-vous assister à une conférence en vue d'un règlement amiable? (Indiquez la date la plus rapprochée.)

Signature de la partie

Date de la signature

Signature de l'avocat(e) de la partie

Date de la signature

Numéro de dossier du greffe

(Nom du tribunal)

.....
**Formule 17A : Mémoire de
 conférence en vue
 d'un règlement amiable**

situé(e) au

Adresse du greffe

(Nom de la personne qui dépose le présent mémoire)

(Date de la conférence en vue d'un règlement amiable)

Requérant(e)**Intimé(e)**

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).
Lien de parenté avec l'intimé(e).	Lien de parenté avec le/la requérant(e).
Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

REMARQUE : LES MÉMOIRES DE CONFÉRENCE EN VUE D'UN RÈGLEMENT AMIABLE DOIVENT ÊTRE ÉCHANGÉS 7 JOURS AU MOINS AVANT LA CONFÉRENCE. ILS SERONT RETOURNÉS À LA FIN DE CELLE-CI OU DÉTRUITS IMMÉDIATEMENT PAR LE PERSONNEL DU GREFFE.

REMARQUE : Vous pouvez laisser en blanc toute partie non applicable de la présente formule.

———— **SECTION 1 : QUESTIONS EN LITIGE** ————

1. Quelles sont les questions en litige dans cette cause qui n'ont **PAS** encore été réglées :

- | | | | |
|---|---|--|---|
| <input type="checkbox"/> garde d'enfant | <input type="checkbox"/> droit de visite | <input type="checkbox"/> aliments pour les enfants | <input type="checkbox"/> protection des enfants |
| <input type="checkbox"/> aliments pour le conjoint | <input type="checkbox"/> partage des biens | <input type="checkbox"/> propriété de biens | <input type="checkbox"/> possession du foyer |
| <input type="checkbox"/> ordonnance de ne pas faire | <input type="checkbox"/> (Autre. Précisez.) | | |

2. Certaines de ces questions sont-elles **urgentes** au point où une ordonnance temporaire ou une autre mesure du tribunal est nécessaire?

- ☐ Non
☐ Oui. (Précisez.)

3. Quelles sont les questions en litige dans cette cause qui **ONT** été réglées :

- | | | | |
|---|---|--|---|
| <input type="checkbox"/> garde d'enfant | <input type="checkbox"/> droit de visite | <input type="checkbox"/> aliments pour les enfants | <input type="checkbox"/> protection des enfants |
| <input type="checkbox"/> aliments pour le conjoint | <input type="checkbox"/> partage des biens | <input type="checkbox"/> propriété de biens | <input type="checkbox"/> possession du foyer |
| <input type="checkbox"/> ordonnance de ne pas faire | <input type="checkbox"/> (Autre. Précisez.) | | |

4. Certaines des questions qui ont été réglées font-elles l'objet d'une ordonnance du tribunal ou d'un accord écrit?

- ☐ Non
☐ Oui ☐ une ordonnance
☐ un accord écrit du (date de l'accord)

(Joignez une copie de tout accord que le juge devrait lire pour se préparer à la conférence en vue d'un règlement amiable.)

———— **SECTION 2 : MARIAGE, COHABITATION ET SÉPARATION** ————

Suite à la page suivante ➔

**Formule 17A : Mémoire de conférence
en vue d'un règlement amiable (page 2)**

Numéro de dossier du greffe

Dans les causes portant sur la protection d'un enfant, donnez uniquement les renseignements se rapportant à l'intimé(e) ou aux intimé(e)s — généralement le père ou la mère ou les deux.

5. Requérant(e) : Âge : Date de naissance :

Habite à (municipalité et province)

depuis le (date)

Nom de famille à la naissance : Nom de famille immédiatement avant le mariage :

Déjà divorcé(e)? ☐ Non ☐ Oui

Si oui, indiquez les lieu et date du divorce précédent :

6. Intimé(e) : Âge : Date de naissance :

Habite à (municipalité et province)

depuis le (date)

Nom de famille à la naissance : Nom de famille immédiatement avant le mariage :

Déjà divorcé(e)? ☐ Non ☐ Oui

Si oui, indiquez les lieu et date du divorce précédent :

7. LIEN ENTRE LES PARTIES :☐ Nous nous sommes mariés le (date)☐ Nous avons commencé à vivre ensemble le (date)☐ Nous nous sommes séparés le (date)☐ Nous n'avons jamais vécu ensemble.☐ Nous sommes toujours ensemble**8. Au moment de la séparation, existait-il des arrangements écrits ou verbaux entre les parties?**☐ Non

☐ Oui (Donnez des précisions, y compris le date de l'arrangement, le nom de la partie qui habite actuellement dans le foyer conjugal, le moment où l'autre partie a déménagé et les circonstances particulières du déménagement. Si une partie quelconque de l'arrangement a été consignée par écrit, joignez-en une copie.)

SECTION 3 : ENFANTS**9. Les renseignements de base sur l'enfant ou les enfants sont les suivants :**

Nom et prénom officiels de l'enfant	Âge	Date de naissance (jour, mois, année)	Année et école	Habite actuellement avec

10. Les arrangements quant au droit de visite sont les suivants : (Donnez des précisions à côté du nom de chaque enfant.)

Suite à la page suivante ➡

**Formule 17A : Mémoire de conférence
en vue d'un règlement amiable (page 3)**

Numéro de dossier du greffe

Nom de l'enfant

Arrangements quant au droit de visite

.....

.....

.....

.....

.....

.....

.....

11. Y a-t-il des préoccupations particulières au sujet de l'enfant ou des enfants (*sur le plan de la santé ou des études, par exemple*) dont le juge qui préside la conférence en vue d'un règlement amiable devrait avoir connaissance?

- ☐ Non
- ☐ Oui (*Donnez des précisions à côté du nom de chaque enfant.*)

Nom de l'enfant

Préoccupation ou problème

.....

.....

.....

.....

12. Demandez-vous que l'arrangement actuel quant à la garde et au droit de visite soit modifié?

- ☐ Non
- ☐ Oui (*Précisez.*)

13. Une évaluation de la garde ou du droit de visite a-t-elle eu lieu dans cette cause?

- ☐ Non ☐ Oui (*Joignez-en une copie à moins qu'elle ne fasse déjà partie du dossier continu, auquel cas indiquez le ou les numéros d'onglet ou de page*)

14. Le Bureau de l'avocat des enfants doit-il intervenir dans cette cause en ce qui concerne un ou plusieurs enfants?

- ☐ Non ☐ Oui

15. Avez-vous assisté à une réunion d'information sur le droit de la famille?

- ☐ Non ☐ Oui, le (*déle*)

16. (*Causes portant sur la protection d'un enfant seulement.*)

Une des parties a-t-elle préparé un programme de soins pour les enfants?

- ☐ La société d'aide à l'enfance ☐ L'intimé(e) ou les intimé(e)s ☐ Personne

(*Joignez-en une copie à moins qu'elle ne fasse déjà partie du dossier continu, auquel cas indiquez le ou les numéros d'onglet ou de page*)

SECTION 4 : RENSEIGNEMENTS FINANCIERS

Ne remplissez pas cette section dans les causes portant sur la protection d'un enfant à moins que la société d'aide à l'enfance ne demande des aliments, auquel cas n'indiquez que les renseignements se rapportant aux intimé(e)s.

17. Le revenu annuel brut du/de la requérant(e) est de \$

Le revenu annuel brut de l'intimé(e) est de\$

**Formule 17A : Mémoire de conférence
en vue d'un règlement amiable (page 4)**

Numéro de dossier du greffe

18. Les détails de ce revenu (placements, fiducies, salaires, commissions, temps supplémentaire) sont les suivants :

Requérant(e)		Intimé(e)	
Provenance	Somme	Provenance	Somme

SECTION 5 : BIENS*Passer à la section 6 dans les causes portant sur la protection d'un enfant.*

19. J'habite dans ☐ une maison ☐ un appartement ☐ (Autre. Précisez.)
☐ que je loue ☐ dont je suis propriétaire

(Si vous ne louez pas votre domicile, donnez les renseignements ci-dessous.)

- ☐ Je suis l'unique propriétaire du domicile.
☐ (Nom) et moi-même sommes propriétaires du domicile.
☐ (Nom) est l'unique propriétaire.
☐ (Autre. Précisez.)

Le bien est-il hypothéqué?

- ☐ Non ☐ Oui, et il reste \$ à payer.

20. Les parties se sont-elles mises d'accord sur la date de séparation?

- ☐ Non ☐ Oui, le (date)

21. Les parties se sont-elles mises d'accord sur la valeur d'une partie ou de la totalité des avoirs à la date de la séparation?

- ☐ Non
☐ Oui (Énumérez les avoirs et la valeur sur laquelle vous vous êtes mis d'accord. Au besoin, joignez des feuilles supplémentaires.)

22. Si les parties ne sont pas d'accord sur la valeur d'une partie ou de la totalité des avoirs, s'entendent-elles sur la personne qui va procéder à l'évaluation?

- ☐ Non ☐ Oui. L'évaluateur ou l'évaluatrice s'appelle (nom)

23. La propriété d'une partie ou de la totalité des avoirs est-elle contestée? ☐ Non ☐ Oui

(Dans le tableau ci-dessous, énumérez les avoirs dont la propriété n'est pas contestée. Énumérez ensuite ceux dont la propriété est contestée.)

Propriété du/de la requérant(e)		Propriété de l'intimé(e)		Propriété conjointe	
Description de l'avoir	Valeur	Description de l'avoir	Valeur	Description de l'avoir	Valeur

**Formule 17A : Mémoire de conférence
en vue d'un règlement amiable (page 5)**

Numéro de dossier du greffe

Propriété du/de la requérant(e)		Propriété de l'intimé(e)		Propriété conjointe	
Description de l'avoir	Valeur	Description de l'avoir	Valeur	Description de l'avoir	Valeur

(Énumérez les avoirs dont la propriété est contestée.)

24. La question de savoir qui est censé payer les dettes des parties est-elle contestée?

- ☐
- Non (Ne remplissez pas le tableau ci-dessous.)
- ☐
- Oui (Précisez dans le tableau ci-dessous.)

Créancier	Raison de l'endettement	Somme Impayée

25. Est-ce que toutes les personnes nécessaires pour décider des questions se rapportant aux biens, à la propriété et aux dettes ont été désignées comme parties à la cause?

- ☐
- Oui
- ☐
- Non (Énumérez les personnes qui doivent encore être jointes comme parties.)

SECTION 6 : QUESTIONS RELATIVES AUX ALIMENTS

Ne remplissez pas cette section dans les causes portant sur la protection d'un enfant à moins que le société d'aide à l'enfance ne demande des aliments, auquel cas n'indiquez que les renseignements se rapportant aux intimé(s).

26. Y a-t-il un accord ou une ordonnance du tribunal visant les aliments pour les enfants?

- ☐
- Non
-
- ☐
- Oui,
- ☐
- un accord
- ☐
- une ordonnance du tribunal

du (dela) qui prévoit des aliments de

..... \$ par pour (nombre d'enfants) enfant(s), lesquels

- ☐
- sont versés en entier
- ☐
- ne sont pas versés en entier. (Joignez un état des sommes dues — formule 26.)

Suite à la page suivante ➡

**Formule 17A : Mémoire de conférence
en vue d'un règlement amiable (page 6)**

Numéro de dossier du greffe

27. Y a-t-il quelqu'un d'autre qui subvient aux besoins de l'enfant ou des enfants?

☐ Non☐ Oui Cette autre personne s'appelle

28. Une des parties subvient-elle aux besoins d'un ancien conjoint ou d'un ou plusieurs enfants nés d'une autre union?

☐ Non☐ Oui (Précisez.)

29. Des aliments sont demandés pour les enfants suivants :

Nom de l'enfant	Âge	Dépenses spéciales ou extraordinaires de l'enfant (suppléments)

30. Y a-t-il un accord ou une ordonnance du tribunal visant les aliments pour le conjoint?

☐ Non☐ Oui, ☐ un accord ☐ une ordonnance du tribunal

du (date) qui prévoit des

aliments pour le conjoint de \$ par, lesquels

☐ sont versés en entier ☐ ne sont pas versés en entier. (Joignez un état des sommes dues — formule 26.)

31. Des aliments pour le conjoint sont-ils demandés dans cette cause?

☐ Non☐ Oui, par (nom de la personne), qui demande \$ par

32. Y a-t-il des problèmes de santé qui risquent d'avoir une incidence sur les aliments dont les parties ont besoin ou sur leur capacité d'en payer?

☐ Non☐ Oui (Joignez une copie de tout rapport médical ou autre dossier de santé pertinent.)

33. Donnez les renseignements suivants au sujet de l'emploi :

	Requérant(e)	Intimé(e)
Situation	<input type="checkbox"/> employé(e) <input type="checkbox"/> travailleur/travailleuse indépendant(e) <input type="checkbox"/> en congé d'invalidité <input type="checkbox"/> sans emploi	<input type="checkbox"/> employé(e) <input type="checkbox"/> travailleur/travailleuse indépendant(e) <input type="checkbox"/> en congé d'invalidité <input type="checkbox"/> sans emploi
Métier ou profession		
Depuis quand êtes-vous sans emploi ou en congé d'invalidité, le cas échéant?		

**Formule 17A : Mémoire de conférence
en vue d'un règlement amiable (page 7)**

Numéro de dossier du greffe

	Requérant(e)	Intimé(e)
Projets de recyclage ou de perfectionnement		

— SECTION 7 : RÉCONCILIATION, MÉDIATION ET ÉVALUATION —

34. Y a-t-il eu tentative de réconciliation?

- ☐ Non
☐ Il n'existe aucune possibilité de réconciliation
☐ Oui (Précisez.)

35. Almeriez-vous des renseignements sur les services de counselling ou d'orientation?

- ☐ Non ☐ Oui

— SECTION 8 : QUESTIONS DE PROCÉDURE —

36. Est-ce que des interrogatoires préalables ou des contre-interrogatoires ont eu lieu?

- ☐ Oui ☐ Non ☐ Ils sont toujours en cours. ☐ Ils sont inutiles dans cette cause.

37. Les questions suivantes concernant les interrogatoires préalables ou les contre-interrogatoires sont encore en suspens : (Précisez, s'il y a lieu.)

38. Je joins un résumé des ordonnances pertinentes dans cette cause. (Joignez le résumé des causes — formule 8E)

39. Ces ordonnances ont-elles été exécutées?

- ☐ Oui ☐ Non (Expliquez.)

40. La requête, la défense ou la réponse a-t-elle besoin d'être modifiée?

- ☐ Non ☐ Oui (Expliquez.)

41. Les prochaines étapes de la cause devraient être les suivantes :

42. Les demandes présentées dans cette cause ont-elles des répercussions fiscales?

- ☐ Non ☐ Oui (Précisez. Au besoin, joignez des feuilles supplémentaires et numérotez-les.)

43. Je joins une copie d'une offre de règlement amiable qui peut présentement être acceptée. (S'il n'y a aucune offre, vous DEVEZ en présenter une et la joindre.)

44. Quels témoins avez-vous l'intention d'appeler au procès? (Donnez leur nom.)

Suite à la page suivante ➡

**Formule 17A : Mémoire de conférence
en vue d'un règlement amiable (page 8)**

Numéro de dossier du greffier

45. Parmi ces témoins, les personnes suivantes seront appelées à titre d'experts sur ce qui suit :

Nom du témoin expert	Résumé du témoignage de l'expert

46. J'estime qu'il faudra jours pour le témoignage et le contre-interrogatoire de mes témoins et pour la présentation des preuves documentaires au procès.

47. Y a-t-il des dates où vous-même ou votre avocat(e) ne pouvez pas vous présenter au tribunal pour le procès?

☐ Non☐ Oui (*indiquez les dates problématiques et expliquez la difficulté.*)

Suite à la page suivante ➡

**Formule 17A : Mémoire de conférence
en vue d'un règlement amiable (page 9)**

Numéro de dossier du greffe

Joignez les documents suivants qui se rapportent aux questions toujours en litige dans cette cause. Utilisez des onglets numérotés pour les distinguer.

1. Si les aliments constituent une question en litige au procès : Votre état financier, qui ne doit pas dater de plus de 30 jours, sinon il doit être accompagné d'un affidavit dans lequel vous déclarez que les renseignements qu'il contient sont toujours exacts.
2. Si les biens constituent une question en litige au procès : Votre état des biens familiaux nets, qui ne doit pas dater de plus de 30 jours, sinon il faut y joindre un affidavit dans lequel vous déclarez que les renseignements qu'il contient sont toujours exacts ainsi que des documents à l'appui des chiffres présentés dans cette cause, y compris les évaluations d'entreprises, de pensions, de biens-fonds ou autres biens.
3. Si les aliments pour les enfants constituent une question en litige au procès et que, selon le cas :
 - a) le revenu d'une partie dépasse 150 000 \$ par année;
 - b) un enfant a 18 ans ou plus;
 - c) une demande est présentée au titre de dépenses spéciales ou extraordinaires (suppléments) pour l'enfant ou les enfants;
 - d) une demande est présentée au titre de difficultés excessives qui résultent du paiement d'aliments pour les enfants :

Un budget de dépenses pour l'enfant ou les enfants, y compris la part du coût du logement, des services publics et de la nourriture, entre autres, qui leur revient et la base sur laquelle cette part est calculée.

4. Si la garde ou le droit de visite constitue une question en litige au procès : Les rapports d'évaluation sur la garde ou le droit de visite et les rapports de l'avocat des enfants (le cas échéant).
5. S'il s'agit d'une cause portant sur la protection d'un enfant : Le programme de soins élaboré par la société d'aide à l'enfance et, le cas échéant, par l'intimé(e) ou les intimé(e)s.
6. Les rapports médicaux.
7. Votre offre de règlement amiable la plus récente qui peut toujours être acceptée. S'il n'y en a pas, vous devez en présenter une et la joindre.
8. Les causes, extraits de texte ou articles de tout genre qui aideraient le juge à se préparer à la conférence en vue d'un règlement amiable.
9. Tout autre document pertinent qui aiderait le juge à se préparer à la conférence en vue d'un règlement amiable.

Signature de la partie

Date de la signature

Signature de l'avocat(e) de la partie

Date de la signature

Numéro de dossier du greffe

(Nom du tribunal)

.....
**Formule 17B : Mémoire
 de conférence
 de gestion du procès**

situé(e) au

Adresse du greffe

(Nom de la personne qui dépose le présent mémoire)

(Date de la conférence de gestion du procès.)

Requérant(e)**Intimé(e)**

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Lien de parenté avec l'intimé(e).

Lien de parenté avec le/la requérant(e).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

REMARQUE : LES MÉMOIRES DE CONFÉRENCE DE GESTION DU PROCÈS DOIVENT ÊTRE ÉCHANGÉS 7 JOURS AU MOINS AVANT LA CONFÉRENCE. ILS SERONT RETOURNÉS À LA FIN DE CELLE-CI OU DÉTRUITS IMMÉDIATEMENT PAR LE PERSONNEL DU GREFFE.

REMARQUE : Vous pouvez laisser en blanc toute partie non applicable de la présente formule.

— SECTION 1 : QUESTIONS EN LITIGE —

- Quelles sont les questions en litige dans cette cause qui n'ont PAS encore été réglées :

<input type="checkbox"/> garde d'enfant	<input type="checkbox"/> droit de visite	<input type="checkbox"/> aliments pour les enfants	<input type="checkbox"/> protection des enfants
<input type="checkbox"/> aliments pour le conjoint	<input type="checkbox"/> partage des biens	<input type="checkbox"/> propriété de biens	<input type="checkbox"/> possession du foyer
<input type="checkbox"/> ordonnance de ne pas faire	<input type="checkbox"/> (Autre. Précisez.)		
- Quelles sont les questions en litige dans cette cause qui ONT été réglées :

<input type="checkbox"/> garde d'enfant	<input type="checkbox"/> droit de visite	<input type="checkbox"/> aliments pour les enfants	<input type="checkbox"/> protection des enfants
<input type="checkbox"/> aliments pour le conjoint	<input type="checkbox"/> partage des biens	<input type="checkbox"/> propriété de biens	<input type="checkbox"/> possession du foyer
<input type="checkbox"/> ordonnance de ne pas faire	<input type="checkbox"/> (Autre. Précisez.)		
- Certaines des questions qui ont été réglées font-elles l'objet d'une ordonnance du tribunal ou d'un accord écrit?

<input type="checkbox"/> Non	
<input type="checkbox"/> Oui	<input type="checkbox"/> une ordonnance
	<input type="checkbox"/> un accord écrit du (date de l'accord)

(Joignez une copie de tout accord que le juge devrait lire pour se préparer à la conférence de gestion du procès.)

Suite à la page suivante ➡

**Formule 17B : Mémoire de conférence
de gestion du procès (page 2)**

Numéro de dossier du greffe

SECTION 2 : QUESTIONS DE PROCÉDURE

4. Est-ce que toutes les questions concernant les interrogatoires préalables ou les contre-interrogatoires ont été réglées?
☐ Oui ☐ Non (*Précisez.*)
5. Je joins une liste des ordonnances pertinentes dans cette cause. (*Joignez un résumé des causes — formule 8E.*)
6. Y a-t-il des ordonnances ou des directives pour le procès qui n'ont pas encore été exécutées?
☐ Non ☐ Oui (*Expliquez.*)
7. Les parties ont-elles préparé un mémoire conjoint?
☐ Oui (*Joignez-en une copie.*) ☐ Non (*Expliquez.*)
8. Les parties ont-elles conclu un accord qui permet au Juge du procès de recevoir des témoignages par affidavit ou sous forme de rapport écrit, sous réserve d'un contre-interrogatoire?
☐ Oui (*Joignez-en une copie.*) ☐ Non (*Expliquez.*)
9. Y a-t-il des questions préliminaires ou des questions de procédure à régler avant le procès ou au début de celui-ci?
☐ Non ☐ Oui (*Expliquez.*)

SECTION 3 : QUESTIONS EN LITIGE AU PROCÈS

10. Les parties ont-elles préparé un exposé conjoint des faits?
☐ Oui (*Joignez-en une copie.*) ☐ Non (*Expliquez.*)

Suite à la page suivante ➡

**Formule 17B : Mémoire de conférence
de gestion du procès (page 3)**

Numéro de dossier du greffe

11. Quelles questions sont toujours en litige dans cette cause?*(Pour chaque question, résumez :**a) les faits non contestés;**b) les principes sur lesquels s'appuie votre cause sur cette question;**c) la preuve que vous avez l'intention de présenter sur cette question.**Ce résumé devrait constituer une ébauche de votre exposé initial au procès. Au besoin, joignez des feuilles supplémentaires et numérotez-les.)*

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page.

**Formule 17B : Mémoire de conférence
de gestion du procès (page 4)**

Numéro de dossier du greffe

12. Voici les témoins que j'ai l'intention d'appeler ainsi qu'un résumé de ce que je m'attends à ce qu'ils disent :

Nom du témoin	Résumé du témoignage attendu

13. J'estime qu'il faudra, jours pour le témoignage et le contre-interrogatoire de mes témoins et pour la présentation de mes preuves documentaires au procès.

Joignez les documents suivants qui se rapportent aux questions toujours en litige dans cette cause. Utilisez des onglets numérotés pour les distinguer.

1. Si les aliments constituent une question en litige au procès : Votre état financier, qui ne doit pas dater de plus de 30 jours, sinon il doit être accompagné d'un affidavit dans lequel vous déclarez que les renseignements qu'il contient sont toujours exacts.
2. Si les biens constituent une question en litige au procès : Votre état des biens familiaux nets, qui ne doit pas dater de plus de 30 jours, sinon il faut y joindre un affidavit dans lequel vous déclarez que les renseignements qu'il contient sont toujours exacts ainsi que des documents à l'appui des chiffres présentés dans cette cause, y compris les évaluations d'entreprises, de pensions, de biens-fonds ou autres biens.
3. Si les aliments pour les enfants constituent une question en litige au procès et que, selon le cas :
 - a) le revenu d'une partie dépasse 150 000 \$ par année;
 - b) un enfant a 18 ou plus;
 - c) une demande est présentée au titre de dépenses spéciales ou extraordinaires (suppléments) pour l'enfant ou les enfants;
 - d) une demande est présentée au titre de difficultés excessives qui résultent du paiement d'aliments pour les enfants :

Un budget de dépenses pour l'enfant ou les enfants, y compris la part du coût du logement, des services publics et de la nourriture, entre autres, qui leur revient et la base sur laquelle cette part est calculée.

4. Si la garde ou le droit de visite constitue une question en litige au procès : Les rapports d'évaluation sur la garde ou le droit de visite et les rapports de l'avocat des enfants (le cas échéant).
5. S'il s'agit d'une cause portant sur la protection d'un enfant : Le programme de soins élaboré par la société d'aide à l'enfance et, le cas échéant, par l'intimé(e) ou les intimé(e)s.
6. Tout autre document pertinent qui aiderait le juge à se préparer à la conférence de gestion du procès.

Signature de la partie_____
Date de la signature_____
Signature de l'avocat(e) de la partie_____
Date de la signature

Numéro de dossier du greffe

(Nom du tribunal)

Formule 20 : Demande
de renseignements

situé(e) au

Adresse du greffe

Requérant(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro
et rue, municipalité, code postal, numéros de téléphone et de téléco-
pieur et adresse électronique (le cas échéant).Nom et prénom officiels et adresse aux fins de signification — numéro
et rue, municipalité, code postal, numéros de téléphone et de téléco-
pieur et adresse électronique (le cas échéant).

Intimé(e)(s)

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code
postal, numéros de téléphone et de télécopieur et adresse électronique
(le cas échéant).Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code
postal, numéros de téléphone et de télécopieur et adresse électronique
(le cas échéant).

À : (nom de la partie)

Cette demande de renseignements par écrit vous est présentée en vertu du paragraphe 20 (2) des *Règles en matière de droit de la famille*

Je demande que les renseignements soient fournis dans les. jours au moyen :

- ☐ d'un affidavit de (nom de la ou des personnes)
- ☐ d'une lettre de (nom de la ou des personnes)
- ☐ (Autre. Précisez.)

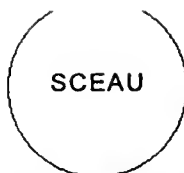
Les renseignements que je demande sont les suivants : (Soyez aussi précis(e) que possible. Si vous désirez plusieurs renseignements, numérotez-les.)

SI VOUS NE FOURNISSEZ PAS LES RENSEIGNEMENTS DEMANDÉS :

- (1) UNE ASSIGNATION PEUT VOUS ÊTRE SIGNIFIÉE VOUS OBLIGEANT À SUBIR UN INTERROGATOIRE À LEUR SUJET;
- (2) UNE MOTION PEUT ÊTRE PRÉSENTÉE AU TRIBUNAL POUR OBTENIR UNE ORDONNANCE EXIGEANT QUE VOUS FOURNISSEZ LES RENSEIGNEMENTS ET VOUS CONDAMNANT AUX DÉPENS DE LA MOTION.

Signature

Date de la signature



(Nom du tribunal)

Numéro de dossier du greffe

situé(e) au _____
Adresse du greffe

Formule 20A :
Autorisation du
commissaire

Requérant(e)(s)

<p><i>Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>	<p><i>Nom et adresse de l'avocat(a) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>
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Intimé(e)(s)

<p><i>Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>	<p><i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>
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À : (nom et prénom officiels et adresse du commissaire)

LE TRIBUNAL VOUS A DÉSIGNÉ(E) COMME COMMISSAIRE pour recueillir des témoignages dans cette cause. Ci-joint une copie de l'ordonnance de désignation.

LE TRIBUNAL VOUS ACCORDE PLEINS POUVOIRS de prendre les mesures nécessaires en vue de recueillir les témoignages mentionnés dans l'ordonnance ci-jointe.

Si les parties y consentent, vous avez également le pouvoir de recueillir le témoignage de tout autre témoin qui peut se trouver à/en/au (nom de la province, du territoire, de l'État ou du pays)

Dans l'exercice de vos fonctions de commissaire, vous devez suivre :

- a) les conditions de l'ordonnance ci-jointe;
- b) les instructions ci-dessous.

Dès que vous avez terminé

- ☐ un enregistrement sonore
- ☐ un enregistrement vidéo
- ☐ une transcription

du témoignage, vous devez le faire parvenir au greffier du tribunal, accompagné de la présente autorisation.

Signature

Date de la signature

REMARQUE : Joignez l'ordonnance du tribunal vous désignant comme commissaire

Suite à la page suivante ➡

Formule 20A : Autorisation du commissaire (page 2)

Numéro de dossier du greffier

INSTRUCTIONS AU COMMISSAIRE

1. Dans la mesure du possible, vous devez interroger ou les témoins conformément aux paragraphes 20 (14), 20 (15) et 23 (19) des *Règles en matière de droit de la famille*. Ces paragraphes sont les suivants :

INTERROGATION D'UNE PERSONNE DE L'EXTÉRIEUR DE L'ONTARIO

20. (14) Si une personne à interroger habite à l'extérieur de l'Ontario et refuse de se rendre en Ontario pour l'interrogatoire, le tribunal peut décider ce qui suit :

- e) la date, heure et lieu de l'interrogatoire;
- b) le délai de préavis à donner à la personne;
- c) la personne devant laquelle l'interrogatoire aura lieu;
- d) le montant de l'indemnité de témoin à verser à la personne à interroger;
- e) le mode d'enregistrement de l'interrogatoire;
- f) au besoin, la délivrance par le greffier de ce qui suit :
 - (i) l'autorisation du commissaire (formule 20A) qui doit superviser l'interrogatoire à l'extérieur de l'Ontario,
 - (ii) une lettre de demande (formule 20B) adressée au tribunal compétent ou à l'instance compétente de l'extérieur de l'Ontario, sollicitant son aide pour que la personne à interroger se présente devant le commissaire;
- g) toute question connexe.

FONCTIONS DU COMMISSAIRE

(15) Le commissaire qui reçoit l'autorisation prévue au paragraphe (14) fait ce qui suit :

- a) il supervise l'interrogatoire conformément aux conditions de l'autorisation que lui a donnée le tribunal, aux présentes règles et au droit de la preuve de l'Ontario, à moins que le droit de la compétence territoriale où l'interrogatoire doit avoir lieu n'exige une autre forme d'interrogatoire;
- b) il fait et conserve une copie de l'enregistrement de l'interrogatoire et, si possible, des pièces, s'il y en a;
- c) il remet l'original de l'enregistrement, les pièces et l'autorisation au greffier qui a délivré celle-ci;
- d) il avise la partie qui a demandé l'interrogatoire que l'enregistrement a été remis au greffier.

RÉCEPTION DE TÉMOIGNAGES AVANT LE PROCÈS À L'EXTÉRIEUR DE L'ONTARIO

23. (19) Si une personne dont le témoignage est nécessaire au procès habite à l'extérieur de l'Ontario, les paragraphes 20 (14) et (15) (interrogation d'une personne de l'extérieur de l'Ontario, fonctions du commissaire) s'appliquent, avec les adaptations nécessaires.

2. Le droit de l'Ontario s'applique à la réception des témoignages, à moins que celui de la province, du territoire, de l'État ou du pays où vous supervisez l'interrogatoire ne vous impose une autre méthode d'interrogation.

3. Avant d'entreprendre vos fonctions aux termes de la présente autorisation, vous devez prêter le serment ou faire l'affirmation solennelle qui suit :

Je, (nom du ou de la commissaire)

- ☐ jure ☐ affirme solennellement
- que :
- a) je recueillerai le témoignage de chacun des témoins que j'interroge aux termes de la présente autorisation au mieux de ma compétence et de mes connaissances, de façon honnête et loyale et sans parti pris;
 - b) je ferai ☐ enregistrer ☐ enregistrer et transcrire les témoignages et les ferai parvenir au tribunal.

(Dans le cas d'un serment, ajoutez les mots : «Ainsi Dieu me soit en aide.»)

Déclaré sous serment/Affirmé solennellement devant moi à
municipalité

à/en/au
province, État ou pays

le
date

Commissaire aux affidavits

(Dactylographiez le nom ou écrivez-le en caractères d'imprimerie ci-dessous si la signature est illisible.)

Signature

(La présente formule doit être signée en présence d'un avocat, d'un juge de paix, d'un notaire ou d'un commissaire aux affidavits.)

Suite à la page suivante ➡

Formule 20A : Autorisation du commissaire (page 3)

Numéro de dossier du greffe

Vous pouvez prêter ce serment ou faire cette affirmation solennelle devant toute personne que l'article 45 de la *Loi sur la preuve* de l'Ontario autorise à recevoir les affidavits, à faire prêter serment ou à faire faire des affirmations solennelles à l'extérieur de l'Ontario. Voici le texte de l'article 45 de la *Loi sur la preuve* :

45. Prestation d'un serment à l'extérieur de l'Ontario. —(1) Le serment, l'affidavit, l'affirmation ou la déclaration solennelle faits à l'extérieur de l'Ontario ont, à toutes fins, la même validité et le même effet que s'ils étaient dûment faits en Ontario devant un commissaire aux affidavits pour l'Ontario, s'ils sont faits devant :

- a) un juge;
- b) un magistrat;
- c) un officier d'une cour de justice;
- d) un commissaire aux affidavits ou une autre autorité compétente du même genre;
- e) un notaire;
- f) le président du conseil d'une municipalité et notamment d'une cité, d'une ville, d'un village ou d'un canton;
- g) un agent d'un service diplomatique ou consulaire de Sa Majesté, y compris un ambassadeur, envoyé, ministre, chargé d'affaires, conseiller, secrétaire, attaché, consul général, consul, vice-consul, proconsul, agent consulaire, consul général intérimaire, consul intérimaire, vice-consul intérimaire ou agent consulaire intérimaire;
- h) un agent des services de représentation ou des services diplomatiques ou consulaires canadiens, y compris, en plus des agents diplomatiques et consulaires visés à l'alinéa g), un haut-commissaire, un délégué permanent, un haut-commissaire intérimaire, un délégué permanent intérimaire, un conseiller et un secrétaire;
- i) un délégué commercial du gouvernement canadien ou un adjoint au délégué commercial, qui exerce ses fonctions ou qui possède la compétence ou l'autorité de les exercer à l'endroit où le serment, l'affidavit, l'affirmation ou la déclaration solennelle ont été faits.

(2)*dém* — Le serment, l'affidavit, l'affirmation ou la déclaration solennelle faits à l'extérieur de l'Ontario devant un notaire de l'Ontario ou un commissaire aux affidavits pour l'Ontario, à toutes fins, la même validité et le même effet que s'ils étaient faits en Ontario devant un commissaire aux affidavits pour l'Ontario.

(3)*Admissibilité* — Le document qui se présente comme étant signé par une personne visée au paragraphe (1) ou (2) pour attester qu'un serment, un affidavit, une affirmation ou une déclaration solennelle ont été faits devant elle et indiquant la qualité du signataire sous sa signature, est admissible en preuve sans qu'il soit nécessaire de prouver l'authenticité de la signature, la fonction ou la qualité officielle du signataire, le sceau ou l'estampille ni le fait que cette personne exerçait ses fonctions ou qu'elle possédait la compétence ou l'autorité de les exercer à l'endroit où le serment, l'affidavit, l'affirmation ou la déclaration solennelle ont été faits si :

- a) dans le cas d'un notaire, le document se présente comme portant son sceau officiel ou étant accompagné de celui-ci;
- b) dans le cas d'une personne visée à l'alinéa (1) f), le document se présente comme portant le sceau de la municipalité ou étant accompagné de celui-ci;
- c) dans le cas d'une personne visée à l'alinéa (1) g), h) ou i), le document se présente comme portant son sceau, le sceau ou l'estampille relative à sa qualité ou au service auquel elle est rattachée ou comme étant accompagné de ces sceaux ou de cette estampille.

4. La partie qui veut que le témoin soit interrogé doit :

- a) donner un préavis d'au moins jours de la date de l'interrogatoire;
- b) verser une indemnité de présence au témoin si l'ordonnance ci-jointe l'exige.

5. Vous devez prendre des dispositions :

- a) pour faire enregistrer les témoignages de la manière indiquée dans l'ordonnance ci-jointe;
- b) pour les faire transcrire, si l'ordonnance l'exige.

Vous devez faire prêter le serment suivant ou faire faire l'affirmation solennelle suivante à la personne qui enregistre les témoignages sous forme de notes sténographiques et, au besoin, à celle qui transcrit tout enregistrement écrit, audio ou vidéo de ces témoignages :

Vous ☐ jurez ☐ affirmez solennellement
que vous allez ☐ enregistrer
☐ transcrire
☐ enregistrer et transcrire

fidèlement toutes les questions posées à chacun des témoins et leurs réponses, conformément aux directives du commissaire. (Dans le cas d'un serment, ajoutez les mots : « Ainsi Dieu vous soit en aide. »)

Suite à la page suivante ➡

Formule 20A : Autorisation du commissaire (page 4)

Numéro de dossier du greffe

6. Vous devez faire prêter le serment suivant ou faire faire l'affirmation solennelle suivante à chacun des témoins dont vous recueillez le témoignage :

Vous ☐ jurez ☐ affirmez solennellement
que le témoignage que vous êtes sur le point de rendre au sujet des questions en litige entre les parties dans
cette cause sera la vérité, toute la vérité, rien que la vérité. *(Dans le cas d'un serment, ajoutez les mots : «Ainsi
Dieu vous soit en aide.»)*

7. Si le témoin ne comprend pas la langue dans laquelle il est interrogé ou qu'il est sourd ou muet, son témoignage doit être rendu par l'intermédiaire d'un ou d'une interprète. Vous devez d'abord faire prêter le serment suivant ou faire faire l'affirmation solennelle suivante à l'interprète :

Vous ☐ jurez ☐ affirmez solennellement
que vous comprenez la langue et celle dans laquelle doit se dérouler
l'interrogatoire et que vous allez interpréter fidèlement
☐ le serment ☐ l'affirmation solennelle
de tous les témoins, de même que toutes les questions qui seront posées au témoin et ses réponses, au mieux
de votre compétence et de votre entendement. *(Dans le cas d'un serment, ajoutez les mots : «Ainsi Dieu vous
soit en aide.»)*

8. Vous devez :

- a) remplir l'attestation qui se trouve à la page suivante;
- b) faire une copie :
 - (i) de l'enregistrement audio ou vidéo des témoignages,
 - (ii) des transcriptions des témoignages,
 - (iii) si possible, des pièces à conviction;
- c) conserver les copies jusqu'à ce que le tribunal ait rendu sa décision;
- d) envoyer par la poste ou livrer les originaux, y compris la présente autorisation et votre attestation, au greffier du tribunal;
- e) aviser immédiatement la partie qui a demandé l'interrogatoire que les pièces ont été envoyées au greffier du tribunal.

Formule 20A : Autorisation du commissaire (page 5)

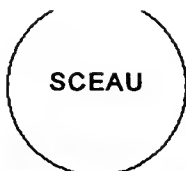
Numéro de dossier du greffe

ATTESTATION DU OU DE LA COMMISSAIRE

Je m'appelle (*nom et prénom officiels*)
et j'atteste ce qui suit :

- ☐ J'ai ☐ fait prêter le serment approprié ☐ fait faire l'affirmation solennelle appropriée
à (*nom*)
qui est la personne qui a ☐ enregistré les témoignages sous forme de notes sténographiques.
☐ transcrit les témoignages.
- ☐ J'ai ☐ fait prêter le serment approprié ☐ fait faire l'affirmation solennelle appropriée
à (*nom du ou des témoins*)
dont les témoignages ont été recueillis et enregistrés.
- ☐ J'ai ☐ fait prêter le serment approprié ☐ fait faire l'affirmation solennelle appropriée
à (*nom de l'interprète*)
soit l'interprète par l'intermédiaire de qui les témoignages ont été donnés.
- ☐ Le témoignage du ou des témoins a été recueilli comme il se doit et fidèlement
☐ enregistré
☐ enregistré et transcrit

*Signature du ou de la commissaire*_____
Date de la signature



 (Nom du tribunal)

Numéro de dossier du greffe

 situé(e) au _____
 Adresse du greffe

 Formule 20B : Lettre
 de demande
Requérant(e)(s)
 Nom et prénom officiels et adresse aux fins de signification — numéro
 et rue, municipalité, code postal, numéros de téléphone et de
 télécopieur et adresse électronique (le cas échéant).

 Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code
 postal, numéros de téléphone et de télécopieur et adresse électro-
 nique (le cas échéant).
Intimé(e)(s)
 Nom et prénom officiels et adresse aux fins de signification — numéro
 et rue, municipalité, code postal, numéros de téléphone et de
 télécopieur et adresse électronique (le cas échéant).

 Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code
 postal, numéros de téléphone et de télécopieur et adresse électro-
 nique (le cas échéant).

AUX AUTORITÉS JUDICIAIRES DE (nom de la province, de l'État ou du pays)

**UNE CAUSE A ÉTÉ INTRODUITE DEVANT CE TRIBUNAL CONCERNANT LES PERSONNES NOMMÉES CI-DESSUS. LES
 TÉMOIGNAGES RECUEILLIS DEVANT LE TRIBUNAL INDIQUENT QU'UN TÉMOIN QUI RÉSIDE DANS VOTRE RESSORT
 DEVRAIT Y ÊTRE INTERROGÉ. NOUS AVONS DÉLIVRÉ UNE AUTORISATION À** (nom et adresse du commissaire)

pour qu'il ou elle interroge (nom et adresse du témoin)

NOUS VOUS DEMANDONS DE FAIRE EN SORTE QUE (nom du témoin)

- a) compareisse devant le ou la commissaire selon la méthode habituellement en usage dans votre ressort;
- b) réponde à des questions sous serment ou affirmation solennelle;
- c) apporte à l'interrogatoire les documents ou choses qui sont indiqués dans la présente demande.

NOUS VOUS DEMANDONS ÉGALEMENT DE permettre au ou à la commissaire d'interroger le témoin conformément au droit de la preuve et aux règles de pratique de l'Ontario ainsi qu'à l'autorisation délivrée par ce tribunal.

Les tribunaux de l'Ontario accepteront volontiers de vous rendre le même service si jamais vous nous le demandez.

LA PRÉSENTE LETTRE DE DEMANDE est signée et scellée par le tribunal en vertu d'une ordonnance rendue le (date de l'ordonnance)

 Greffier du tribunal

 Date de la signature

Suite à la page suivante ➔

Formule 20B : Lettre de demande (page 2)

Numéro de dossier du greffe

(Indiquez le date de chaque document que le témoin devrait apporter et donnez une description assez précise de chaque document ou chose qu'il doit apporter pour pouvoir l'identifier.)

Trevez une ligne horizontale en travers de tout espace laissé en blanc sur le présente page. Au besoin, joignez des feuilles supplémentaires et numérotez-les.

Numéro de dossier du greffe

(Nom du tribunal)

**Formule 22 : Demande
d'admission**

situé(e) au

Adresse du greffe

Requérant(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Intimé(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

À : (nom de la partie)

VOUS DEVEZ RÉPONDRE À LA PRÉSENTE DEMANDE AU PLUS TARD 20 JOURS APRÈS QU'ELLE VOUS EST SIGNIFIÉE.

Pour le faire, vous devez signifier une *Réponse à la demande d'admission* selon la formule 22A, dont un exemplaire devrait être joint à la présente demande. S'il ne l'est pas, communiquez avec votre avocat(e) ou le greffe dès que possible.

SI VOUS NE RÉPONDEZ PAS DANS LE DÉLAI QUI VOUS EST ACCORDÉ, LE TRIBUNAL TIENDRA POUR ACQUIS QUE VOUS ADMETTEZ, aux fins de cette cause seulement, QUE LES FAITS ÉNONCÉS CI-DESSOUS SONT VÉRIDIQUES ET QUE LES DOCUMENTS DÉCRITS CI-DESSOUS SONT AUTHENTIQUES.

Nous vous demandons d'admettre, aux fins de cette cause seulement, que les faits suivants sont véridiques : (Au besoin, joignez des feuilles supplémentaires.)

- 1.
- 2.
- 3.
- 4.
- 5.

Suite à la page suivante ➞

Formule 22 : Demande d'admission (page 2)

Numéro de dossier du greffe

Nous vous demandons d'admettre, aux fins de cette cause seulement, que les documents suivants sont authentiques. (Par «authentique», on entend également ce qui suit :

- qu'un document qui se présente comme un original a été rédigé, signé ou scellé comme il semble l'avoir été;
- qu'un document qui se présente comme une copie est une copie conforme de l'original;
- lorsqu'il se présente comme une copie d'une lettre, d'une télécopie, d'un message électronique ou d'un autre document envoyé ordinairement d'une personne à une autre, que le document a été envoyé comme il semble l'avoir été et a été reçu par le destinataire.

Décrivez chaque document et identifiez-le en indiquant la date, le genre de document, l'auteur et le destinataire, entre autres. Indiquez également s'il s'agit de l'original ou d'une copie. Au besoin, joignez des feuilles supplémentaires.)

1.

2.

3.

4.

5.

Une copie de chaque document énuméré ci-dessus est jointe à la présente demande, à l'exception de ce qui suit : (Indiquez le numéro de tout document que vous ne joignez PAS ainsi que la raison pour laquelle vous ne le faites pas. En général, vous devez joindre des copies de tous les documents mentionnés à moins que l'autre partie n'en ait déjà une copie ou qu'il ne soit pas pratique d'en joindre une.)

Signature

Date de la signature

Numéro de dossier du greffe

(Nom du tribunal)

Formule 22A : Réponse à la demande d'admission

situé(e) au _____
Adresse du greffe

Requérant(e)(s)

<i>Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i>	<i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i>

Intimé(e)(s)

<i>Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i>	<i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i>

À : (nom de la partie)

Voici ma réponse à votre *Demande d'admission* du (date)

qui m'a été signifiée le (date)

(Répondez en suivant la numérotation qui figure dans la *Demande d'admission*.)

- 1. J'admets que les faits suivants sont véridiques : (numéros des faits)
- 2. J'admets que les documents suivants sont authentiques : (numéros des documents)
- 3. Je nie que les faits suivants sont véridiques : (numéros des faits)
- 4. Je nie que les documents suivants sont authentiques : (numéros des documents)
- 5. Je refuse d'admettre que les faits suivants sont véridiques pour les raisons indiquées : (Au besoin, joignez des feuilles supplémentaires.)

Numéro du fait	Mes raisons

Suite à la page suivante ➡

Formule 22A : Réponse à la demande d'admission (page 2) Numéro de dossier du greffe

6. Je refuse d'admettre que les documents suivants sont authentiques pour les raisons indiquées : *(Au besoin, joignez des feuilles supplémentaires.)*

<i>Numéro du document</i>	<i>Mes raisons</i>

Signature

Date de la signature

Numéro de dossier du greffe

(Nom du tribunal)

**Formule 23 : Assignment
de témoin**situé(e) au _____
Adresse du greffe**Requérant(e)(s)**

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Intimé(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

À : (nom et prénom officiels du témoin)

domicilié(e) au (adresse : numéro et rue, municipalité, code postal)

VOUS DEVEZ :

(1) vous rendre au (adresse : numéro et rue, municipalité)

le (date)..... à (heure).....;

(2) témoigner dans la cause ou lors de l'interrogatoire devant (tribunal ou autre personne)

(3) apporter les documents et choses indiqués dans la présente assignation;

(4) rester jusqu'à la fin de la cause ou de l'interrogatoire ou jusqu'à ce que la personne qui préside vous dise que vous pouvez partir.

En même temps que la présente assignation, vous devriez recevoir une indemnité de présence pour jour(s), calculée comme suit :

Indemnité de présence de	\$ par jour\$
Indemnité de déplacement de	\$ à l'aller et au retour\$
Indemnité d'hébergement à l'hôtel et de repas	\$

TOTAL\$

Si la cause ou l'interrogatoire dure plus longtemps, vous aurez droit à une indemnité supplémentaire

Date de délivranceSI VOUS NE VOUS PRÉSENTEZ PAS ET NE RESTEZ PAS
COMME L'EXIGE LA PRÉSENTE ASSIGNATION, UN
MANDAT D'ARRÊT PEUT ÊTRE DÉCERNÉ CONTRE
VOUS.

Suite à la page suivante ➡

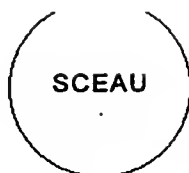
Formule 23 : Assignment de témoin (page 2)

Numéro de dossier du greffe

(Indiquez la date de chaque document que le témoin doit apporter et donnez une description aussi précise de chaque document ou chose qu'il doit apporter pour pouvoir l'identifier.)

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page. Au besoin, joignez des pages supplémentaires et numérotez-les.

Nom, adresse, numéros de téléphone et de télécopieur et adresse électronique de la personne ou de l'avocat(e) qui a préparé la présente assignation.



(Nom du tribunal)

Numéro de dossier du greffe

situé(e) au _____
Adresse du greffe

.....
Formule 23A :
Assignation
d'un témoin de l'exté-
rieur de l'Ontario

Requérant(e)(s)

<p><i>Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>	<p><i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>
---	--

Intimé(e)(s)

<p><i>Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>	<p><i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>
---	--

À : (nom et prénom officiels du témoin)

domicilié(e) au (adresse : numéro et rue, municipalité, code postal)

VOUS DEVEZ :

(1) vous rendre au (adresse : numéro et rue, municipalité)

le (date)..... à (heure)..... ;

(2) témoigner dans la cause ou lors de l'Interrogatoire devant (tribunal ou autre personne)

(3) apporter les documents et choses indiqués dans la présente assignation;

(4) rester jusqu'à la fin de la cause ou de l'Interrogatoire ou jusqu'à ce que la personne qui préside vous dise que vous pouvez partir.

En même temps que la présente assignation, vous devriez recevoir une indemnité de présence pour jour(s), calculée comme suit :

Indemnité de présence de 20 \$ par jour pour chaque	
jour où vous n'êtes pas à votre domicile (au moins 60 \$)\$
Indemnité de déplacement\$
Indemnité d'hébergement à l'hôtel pour au moins	
3 jours (au moins 60 \$)\$
Indemnité de repas pour au moins 3 jours (au moins 60 \$)\$
TOTAL\$

Si la cause ou l'interrogatoire dure plus longtemps, vous aurez droit à une indemnité supplémentaire.

SI VOUS NE VOUS PRÉSENTEZ PAS ET NE RESTEZ PAS COMME L'EXIGE LA PRÉSENTE ASSIGNATION, UN MANDAT D'ARRÊT PEUT ÊTRE DÉCERNÉ CONTRE VOUS.

Date de délivrance

Signature du greffier du tribunal

Suite à la page suivante ➡

**Formule 23A : Assignation d'un témoin
de l'extérieur de l'Ontario (page 2)**

Numéro de dossier du greffe

(Indiquez la date de chaque document que le témoin doit apporter et donnez une description assez précise de chaque document ou chose qu'il doit apporter pour pouvoir l'identifier.)

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page. Au besoin, joignez des pages supplémentaires et numérotez-les.

La présente assignation
a été délivrée à la de-
mande de la personne
suivante, à qui vous
pouvez vous adresser
pour tous renseigne-
ments :

(Nom, adresse, numéros
de téléphone et de télé-
copieur et adresse élec-
tronique de la personne
ou de l'avocat(e) qui a
préparé la présente
assignation.)

**Formule 23A : Assignation d'un témoin
de l'extérieur de l'Ontario (page 3)**

Numéro de dossier du greffe

ATTESTATION DU OU DE LA JUGE

Je, (nom) , juge de (nom du tribunal),
ATTESTE QUE j'ai entendu et interrogé (nom de la ou des parties qui ont demandé la présente assignation et de leur avocat)

qui désire(nt) contraindre (nom du ou des témoins)

à comparaître pour produire des documents ou autres objets ou pour témoigner, ou les deux, dans une cause de l'Ontario portée
 devant (nom du tribunal où doit comparaître le témoin)
 et concernant (nom des parties dans la cause et numéro de dossier du greffe)

J'ATTESTE EN OUTRE QUE je suis convaincu(e) que la comparution de (nom du ou des témoins)

comme témoin(s) dans la cause est nécessaire à la résolution équitable de celle-ci et qu'elle est, vu la nature et l'importance
 de la cause ou de l'instance, raisonnable et essentielle à la bonne administration de la justice en Ontario.

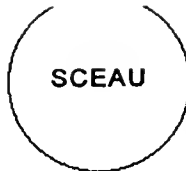
La Loi sur les assignations interprovinciales prévoit ce qui suit pour assurer l'immunité de (nom du ou des témoins)

Toute personne tenue de comparaître devant un tribunal de l'Ontario en vertu d'une assignation homologuée par un tribunal
 en dehors de l'Ontario est réputée, tant qu'elle demeure en Ontario aux fins auxquelles l'assignation a été délivrée, ne pas s'être
 soumise à la compétence des tribunaux de l'Ontario autrement que comme témoin dans l'instance où elle a été assignée. Elle
 jouit d'une immunité absolue à l'égard de toute saisie de biens, signification, exécution de jugement, saisie-arrest, peine
 d'emprisonnement ou ennuï de quelque nature que ce soit relié à un droit légal ou judiciaire, ou à une cause, une action, une
 instance ou un acte de procédure relevant de la compétence législative de l'Ontario, à l'exception seulement des instances
 fondées sur des événements survenus pendant ou après la comparution obligée de la personne en Ontario.

 (Signature du ou de la juge)

 (Date de la signature)

SCEAU



Numéro de dossier du greffe _____

(Nom du tribunal) _____

situé(e) au _____

Adresse du greffe _____

**Formule 23B :
Ordonnance de
comparution d'un(e)
détenu(e)**

Requérant(e)(s)

Nom et prénom officiels et adresse aux fins de signification —
numéro et rue, municipalité, code postal, numéros de téléphone
et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité,
code postal, numéros de téléphone et de télécopieur et adresse
électronique (le cas échéant).

Juge (écrivez le nom en caractères
d'imprimerie ou
dactylographiez-le)

Intimé(e)(s)

Nom et prénom officiels et adresse aux fins de signification —
numéro et rue, municipalité, code postal, numéros de téléphone
et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité,
code postal, numéros de téléphone et de télécopieur et adresse
électronique (le cas échéant).

Date de l'ordonnance _____

AUX AGENTS DE (nom de l'établissement correctionnel ou autre)

ET À TOUS LES AGENTS DE LA PAIX DE L'ONTARIO :

CE TRIBUNAL a constaté qu'un(e) détenu(e) de l'établissement indiqué ci-dessus, (nom et prénom officiels de la personne)

- est ☐ une partie à cette cause;
☐ un témoin dont la présence est nécessaire pour décider d'une question dans cette cause.

CE TRIBUNAL ORDONNE CE QUI SUIT :

1. Que vous ameniez le/la détenu(e) devant ☐ ce tribunal
☐ (Précisez l'autre officier devant lequel il ou elle doit se présenter)

le (date). à (heure). au (adresse)

pour lui permettre de se rendre au tribunal ou de se faire interroger dans cette cause.

2. Que le/la détenu(e) soit retourné(e) et réadmis(e) immédiatement après à l'établissement correctionnel ou autre.

Date de la signature

Signature du juge ou du greffier du tribunal

(Nom du tribunal)

situé(e) au _____ Adresse du greffe

Nom et adresse de l'avocat(a) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Formule 23C : Affidavit pour un procès non contesté (page 2)

Numéro de dossier du greffe

GARDE ET DROIT DE VISITE

Remplissez cette section si vous demandez la garde d'un ou de plusieurs des enfants.

5. Une ordonnance m'accordant la garde de l'enfant ou des enfants est dans l'intérêt véritable de ceux-ci pour les raisons suivantes : *(Donnez les raisons.)*

6. Une ordonnance accordant à l'intimé(e) un droit de visite à l'enfant ou aux enfants
☐ est ☐ n'est pas
 dans l'intérêt véritable de ceux-ci pour les raisons suivantes : *(Donnez les raisons.)*

7. Si une ordonnance de visite est rendue, elle devrait :
- ☐ prévoir un droit de visite raisonnable sur préavis raisonnable;
 - ☐ prévoir un droit de visite raisonnable sur préavis raisonnable, notamment aux conditions ci-dessous :
 - ☐ l'être aux conditions suivantes :
 - ☐ une fin de semaine sur deux, de . . . heures le vendredi à . . . heures le dimanche ou le lundi, si le lundi est un jour férié, à compter du *(date)*
 - ☐ une semaine de relâche sur deux, à compter de *(année)*
 - ☐ semaines pendant les vacances d'été, à déterminer par les parties avant le 1^{er} avril de chaque année.
 - ☐ la moitié des vacances de Noël, du *(date)* au *(date)* selon la répartition suivante :
 - ☐ la fête des Pères avec le père; la fête des Mères, avec la mère.
 - ☐ *(Autre. Précisez.)*

Formule 23C : Affidavit pour un procès non contesté (page 3)

Numéro de dossier du greffe

ALIMENTS POUR LES ENFANTS*Remplissez cette section si vous demandez des aliments pour les enfants.*

8. Je demande des aliments pour (nombre) enfant(s).
9. Au mieux de ma connaissance, la ou les sources de revenu de l'intimé(e) sont les suivantes : (Cochez une ou plusieurs cases, selon les circonstances.)
- ☐ revenu d'emploi auprès de (nom de l'employeur)
- ☐ commissions, pourboires, temps supplémentaire, primes et autres
- ☐ travail indépendant sous le nom ou à titre de (nom ou nature de l'entreprise de l'intimé(e))
- ☐ (Autre. Précisez.)
10. Je crois que le revenu actuel annuel de l'intimé(e) de toutes provenances s'élève à \$ pour les raisons suivantes : (Donnez les raisons pour lesquelles vous croyez que la somme indiquée est exacte.)

ALIMENTS POUR LE CONJOINT*Remplissez cette section si vous demandez des aliments pour vous-même.*

11. J'ai besoin d'aliments pour moi-même pour les raisons suivantes : (Précisez vos besoins financiers.)

ORDONNANCE DE NE PAS FAIRE*Remplissez cette section si vous demandez une ordonnance de ne pas faire contre l'intimé(e).*

12. J'ai besoin d'une ordonnance qui interdit à l'intimé(e) de nous importuner, de nous molester ou de nous harceler, mes enfants et moi-même, ou de s'approcher à moins de (distance) mètres de : (Cochez une ou plusieurs cases)
- ☐ moi-même
- ☐ mon domicile au (adresse)
- ☐ mon lieu de travail au (adresse)
- ☐ mes enfants
- ☐ l'école de mes enfants (Nom de l'école)
- ☐ ((Autre. Précisez.)
- pour les raisons suivantes : (Donnez les raisons pour lesquelles vous avez besoin d'une ordonnance de ne pas faire et pour les distances indiquées.)

Formule 23C : Affidavit pour un procès non contesté (page 4)

Numéro de dossier du greffe

ABSENCE DE SIGNIFICATION

Remplissez cette section si l'intimé(e) ne fera pas ou n'a pas fait l'objet d'une signification.

REMARQUE : Les Règles en matière de droit de la famille exigent que tous les documents soient signifiés à la partie adverse. Le tribunal vous permettra de ne pas le faire seulement dans des circonstances exceptionnelles, par exemple :

1. Une situation d'urgence dans laquelle il n'y a pas assez de temps pour signifier les documents ou dans laquelle leur signification mettrait une partie ou un enfant en danger ou aurait d'autres conséquences graves.
2. Lorsque le tribunal est convaincu que tous les efforts possibles ont été déployés pour trouver l'autre partie et qu'il est impossible de les lui signifier d'aucune façon.

13. Je ne signifie pas ma requête ou ma motion à l'intimé(e) pour les raisons suivantes :

AUTRES QUESTIONS EN LITIGE

Tracez une ligne horizontale au travers de tout espace laissé en blanc sur la présente page

Déclaré sous serment/Affirmé solennellement devant moi à
municipalité

à/en/au
province, État ou pays

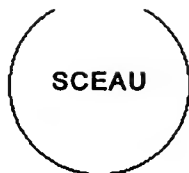
le
date

Commissaire aux affidavits

(Dactylographiez le nom ou écrivez-le en caractères d'imprimerie ci-dessous si la signature est illisible.)

Signature

(La présente formule doit être signée en présence d'un avocat, d'un juge de paix, d'un notaire ou d'un commissaire aux affidavits.)



(Nom du tribunal)

Numéro de dossier du greffe _____

situé(e) au _____
Adresse du greffe

.....
**Formule 25 :
Ordonnance**
(formule générale)
☐ temporaire
☐ définitive

Requérant(e)(s)

Nom et prénom officiels et adresse aux fins de signification —
numéro et rue, municipalité, code postal, numéros de téléphone
et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité,
code postal, numéros de téléphone et de télécopieur et adresse
électronique (le cas échéant).

Juge (écrivez le nom en caractères
d'imprimerie ou
dactylographiez-le)

Intimé(e)(s)

Nom et prénom officiels et adresse aux fins de signification —
numéro et rue, municipalité, code postal, numéros de téléphone
et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité,
code postal, numéros de téléphone et de télécopieur et adresse
électronique (le cas échéant).

Date de l'ordonnance

Le tribunal a entendu une requête ou une motion présentée par (nom de la ou des personnes)

Les personnes suivantes étaient présentes au tribunal (nom des parties et des avocats présents)

Le tribunal a recueilli des témoignages et entendu des observations au nom de (nom(s))

CE TRIBUNAL ORDONNE CE QUI SUIT :

Suite à la page suivante ➡

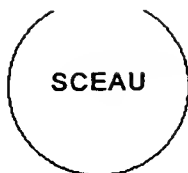
Formule 25 : Ordonnance (formule générale) (page 2)

Numéro de dossier du greffe

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Date de la signature

Signature du juge ou du greffier du tribunal



Numéro de dossier du greffe

 (Nom du tribunal)

 situé(e) au _____
 Adresse du greffe

**Formule 25A :
Ordonnance
de divorce**

Requérant(e)(s)

Nom et prénom officiels et adresse aux fins de signification —
numéro et rue, municipalité, code postal, numéros de téléphone
et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité,
code postal, numéros de téléphone et de télécopieur et adresse
électronique (le cas échéant).

Juge (écrivez le nom en caractères
d'imprimerie ou
dactylographiez-le)

Date de l'ordonnance

Intimé(e)(s)

Nom et prénom officiels et adresse aux fins de signification —
numéro et rue, municipalité, code postal, numéros de téléphone
et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité,
code postal, numéros de téléphone et de télécopieur et adresse
électronique (le cas échéant).

Le tribunal a entendu une requête de (nom)

le (date)

Les personnes suivantes étaient présentes au tribunal (Indiquez le nom des parties et des avocats présents. Ce paragraphe peut être biffé si le divorce n'est pas contesté.)

Le tribunal a recueilli des témoignages et entendu des observations au nom de (nom(s))

CE TRIBUNAL ORDONNE QUE :

1. (nom et prénom officiels des conjoints)

qui se sont mariés à (lieu)

le (date)

soient divorcés et que le divorce prenne effet jours après la date de la présente ordonnance.

(Ajoutez d'autres paragraphes si le tribunal ordonne d'autres mesures de redressement.)

Suite à la page suivante ➡

Formule 25A : Ordonnance de divorce (page 2)

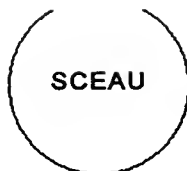
Numéro de dossier du greffe

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Date de la signature

Signature du juge ou du greffier du tribunal

REMARQUE : *Aucun des conjoints ne peut se remarier avant que la présente ordonnance ne prenne effet, auquel moment vous pouvez obtenir un Certificat de divorce auprès du greffe.*



(Nom du tribunal)
situé(e) au _____
Adresse du greffe

Numéro de dossier du greffe

.....
Formule 25B :
Ordonnance portant
sur le traitement
en milieu fermé

Requérant(e)(s)

Nom et prénom officiels et adresse aux fins de signification —
numéro et rue, municipalité, code postal, numéros de téléphone
et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité,
code postal, numéros de téléphone et de télécopieur et adresse
électronique (le cas échéant).

Juge (écrivez le nom en caractères
d'imprimerie ou
dactylographiez-le)

Date de l'ordonnance

Intimé(e)(s)

Nom et prénom officiels et adresse aux fins de signification —
numéro et rue, municipalité, code postal, numéros de téléphone
et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité,
code postal, numéros de téléphone et de télécopieur et adresse
électronique (le cas échéant).

Le tribunal a entendu une requête de (nom de la ou des personnes)

Les personnes suivantes étaient présentes au tribunal (nom des parties et des avocats présents)

Le tribunal a recueilli des témoignages et entendu des observations au nom de (nom(s))

CE TRIBUNAL ORDONNE QUE :

- ☐ (nom et prénom officiels de l'enfant)
soit placé(e) dans le programme de traitement en milieu fermé offert (nom du programme et adresse)
pour une période de jours, à compter du (date)
- ☐ le placement de (nom et prénom officiels de l'enfant)
dans le programme de traitement en milieu fermé offert (nom du programme et adresse)
- soit prolongé pour une période de jours à compter du (date)
- ☐ la présente requête en vue d'obtenir une ordonnance ☐ de placement
☐ de prolongation du placement
- de (nom et prénom officiels de l'enfant)
dans le programme de traitement en milieu fermé offert (nom du programme et adresse)
- soit rejetée.
- ☐ (Autre. Précisez.)

Suite à la page suivante ➡

Formule 25B : Ordonnance portant sur le
traitement en milieu fermé (page 2)

Numéro de dossier du greffe

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page. Au besoin, joignez des pages supplémentaires.

Date de la signature

Signature du juge ou du greffier du tribunal

AVIS À L'ADMINISTRATEUR DU PROGRAMME DE TRAITEMENT EN MILIEU FERMÉ : Le paragraphe 118 (3) de la *Loi sur les services à l'enfance et à la famille* dit ce qui suit :

Dans le calcul de la durée du placement de l'enfant, sont comptés les jours passés en traitement en milieu fermé avant que soit rendue une ordonnance en vertu de l'article 117 (placement) ou en attendant qu'une requête soit présentée en vertu de l'article 120 (prorogation).

NOTEZ ÉGALEMENT que l'article 125 de la *Loi sur les services à l'enfance et à la famille* autorise un agent de la paix à amener un enfant dans un lieu où existe un programme de traitement en milieu fermé si une ordonnance de placement de l'enfant dans un tel programme a été rendue en vertu de l'article 117.



Numéro de dossier du greffe

(Nom du tribunal)

situé(e) au

Adresse du greffe

.....
**Formule 25C :
 Ordonnance
 d'adoption**

Requérant(e)(s)

Nom et prénom officiels et adresse aux fins de signification —
 numéro et rue, municipalité, code postal, numéros de téléphone
 et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité,
 code postal, numéros de téléphone et de télécopieur et adresse
 électronique (le cas échéant).

Juge (écrivez le nom en carac-
 tères d'imprimerie ou
 dactylographiez-le)

Date de l'ordonnance

Intimé(e)(s)

Nom et prénom officiels et adresse aux fins de signification —
 numéro et rue, municipalité, code postal, numéros de téléphone
 et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité,
 code postal, numéros de téléphone et de télécopieur et adresse
 électronique (le cas échéant).

Le tribunal a entendu une requête de (nom de la ou des personnes)

Les personnes suivantes étaient présentes au tribunal (nom des parties et des avocats présents)

Le tribunal a recueilli des témoignages et entendu des observations au nom de (nom(s))

CE TRIBUNAL ORDONNE CE QUI SUIT :

1. L'enfant est adopté comme enfant de (nom des requérant(e)s)
2. L'enfant s'appelle (nom et prénom officiels de l'enfant)

Date de la signature

Signature du juge ou du greffier du tribunal



Numéro de dossier du greffe

(Nom du tribunal)

Formule 25D : Ordonnance (procès non contesté)

- ☐ temporaire
☐ définitive

situé(e) au

Adresse du greffe

Requérant(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Juge (écrivez le nom en caractères d'imprimerie ou dactylographiez-le)

Date de l'ordonnance

Intimé(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Le tribunal a entendu une requête ou une motion présentée par (nom de la ou des personnes)

Les personnes suivantes étaient présentes au tribunal (nom des parties et des avocats présents)

Le tribunal a recueilli des témoignages et entendu des observations au nom de (nom(s))

La présente ordonnance concerne les enfants suivants :

Nom et prénom officiels de l'enfant	Date de naissance (j,m,a)	Sexe

FILIAION

- ☐ 1. CE TRIBUNAL conclut que :
- ☐ chaque enfant mentionné ci-dessus est un enfant à charge au sens de la *Loi sur le divorce*.
 - ☐ le/la requérant(e) et l'intimé(e) sont les père et mère de chaque enfant mentionné ci-dessus au sens de la *Loi sur le droit de la famille* et de la *Loi portant réforme du droit de l'enfance*.
 - ☐ (Autre. Précisez.)

Suite à la page suivante ➡

**Formule 25D : Ordonnance
(procès non contesté) (page 2)**

Numéro de dossier du greffe

GARDE☐ 2. CE TRIBUNAL ORDONNE que la garde☐ provisoire ☐ définitive☐ exclusive ☐ partagée

de chaque enfant mentionné ci-dessus soit accordée à (nom(s))

DROIT DE VISITE☐ 3. CE TRIBUNAL ORDONNE que (nom) ait un droit de visite☐ provisoire ☐ définitif

à chaque enfant mentionné ci-dessus. Les conditions du droit de visite sont les suivantes :

☐ une fin de semaine sur deux, de heures le vendredi à heures le dimanche ou le lundi, si le lundi est
un jour férié, à compter du (date)☐ une semaine de relâche sur deux, à compter de (année)☐ semaines pendant les vacances d'été, à déterminer par les parties avant le 1^{er} avril de chaque année.☐ la moitié des vacances de Noël, du (date) au (date)

....., selon la répartition suivante :

☐ la fête des Pères avec le père; la fête des Mères, avec la mère.☐ (Autre. Précisez.)**ALIMENTS POUR LES ENFANTS**☐ 4. CE TRIBUNAL CONCLUT que (nom du payeur ou de la payeuse) a un revenu de \$

et lui ORDONNE de verser la somme de \$ par mois, à (nom du ou de la bénéficiaire)

à compter du (date) au profit de l'enfant ou des enfants mentionnés ci-dessus.

Ne remplir l'encadré qui suit uniquement si des suppléments pour l'enfant ou les enfants sont demandés.

CE TRIBUNAL CONCLUT que (nom du ou de la bénéficiaire) a un revenu de \$

et ordonne à (nom du payeur ou de la payeuse) de lui verser la somme de \$ par mois, à

compter du (date) pour les dépenses spéciales ou extraordinaires (suppléments) de l'enfant ou

des enfants mentionnés ci-dessus. Cette somme est répartie comme suit:

Nom de l'enfant	Nature de la dépense spéciale ou extraordinaire	Somme

ALIMENTS POUR LE CONJOINT☐ 5. CE TRIBUNAL ORDONNE que (nom du payeur ou de la payeuse) verse des éléments☐ provisoires ☐ définitifs

pour le conjoint de \$ par à (nom du ou de la bénéficiaire)

à compter du (date)

☐ 6. CE TRIBUNAL ORDONNE que les aliments pour le conjoint prévus par la présente ordonnance soient rajustés annuellement selon le facteur d'indexation visé au paragraphe 34 (6) de la Loi sur le droit de la famille.

Suite à la page suivante ➡

**Formule 25D : Ordonnance
(procès non contesté) (page 3)**

Numéro de dossier du greffe

ALIMENTS IMPAYÉS

- ☐ 7. CE TRIBUNAL CONCLUT que le montant des aliments impayés s'élève à\$ au (date)
 et il ordonne que (nom du payeur ou de la payeuse)
 rembourse cette somme ☐ d'ici le (date)
☐ à raison de\$ par à compter
 du (date)

ALIMENTS — EXÉCUTION

- ☐ 8. CE TRIBUNAL ORDONNE que l'ordonnance alimentaire soit exécutée par le directeur du Bureau des obligations familiales, à moins qu'elle ne soit retirée de son bureau, et que les sommes dues aux termes de l'ordonnance soient payées au directeur, qui les remettra à la personne à qui elles sont dues.
- ☐ 9. CE TRIBUNAL ORDONNE que le greffier délivre une ordonnance de retenue des aliments aux termes de l'article 11 de la Loi sur les obligations familiales et l'exécution des arriérés d'aliments pour le versement périodique d'aliments.

BIENS

- ☐ 10. CE TRIBUNAL ORDONNE que

DIVULGATION

- ☐ 11. CE TRIBUNAL ORDONNE que (nom)
 signifie et dépose les documents suivants avant la prochaine date d'audience :
- ☐ un état financier à jour
- ☐ (Autre. Précisez.)

AUTRES QUESTIONS

- ☐ 12. CE TRIBUNAL ORDONNE que

Suite à la page suivante ➡

Formule 25D : Ordonnance
(procès non contesté) (page 4)

Numéro de dossier du greffe

DÉPENS

☐ 13. CE TRIBUNAL ORDONNE que (nom)
paie les dépens, fixés à \$, à (nom)

AJOURNEMENT

☐ 14. CE TRIBUNAL ORDONNE que la ou les questions portant sur
soient ajournées au (date) à (heure)
pour (but)

INTÉRÊTS

☐ 15. CE TRIBUNAL ORDONNE que les sommes dues aux termes de la présente ordonnance portent des intérêts au taux de % par année.

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page. Au besoin, joignez des pages supplémentaires.

.....
Date de la signature

.....
Signature du Juge ou du greffier du tribunal

Numéro de dossier du greffe

(Nom du tribunal)

**Formule 25E : Avis de
contestation de
l'approbation de
l'ordonnance**situé(e) au _____
Adresse du greffe**Requérant(e)(s)**

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Intimé(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

À : (nom des parties)

Je ne suis pas d'accord avec le texte de l'ordonnance dans cette cause pour les raisons suivantes : (Donnez vos raisons.)

Je demande que l'ordonnance soit reformulée. Ci-joint une copie de ma version de l'ordonnance.

LE GREFFIER DU TRIBUNAL DÉCIDERAIT DU TEXTE DE L'ORDONNANCE le (date)

à (heure), ou dès que possible par la suite, au (lieu où le texte sera décidé)

SI VOUS NE VOUS PRÉSENTEZ PAS, LE GREFFIER DU TRIBUNAL PEUT SIGNER L'ORDONNANCE ET LE TEXTE POURRAIT DIFFÉRER DE CELUI DE LA VERSION ORIGINALE.

Signature_____
Date de la signature

Numéro de dossier du greffe

(Nom du tribunal)

Formule 26 : État des
sommes dues daté du

situé(e) au

Adresse du greffe

Bénéficiaire(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Payeur ou payeuse

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Je m'appelle (nom et prénom officiels)

J'habite à (municipalité et province)

et je déclare sous serment/j'affirme solennellement que les renseignements suivants sont véridiques :

1. Je suis ☐ une personne qui a droit à des sommes aux termes d'une ordonnance, d'un contrat familial ou d'un accord de paternité qui est exécutoire devant ce tribunal.
☐ le gardien, la gardienne, le tuteur ou la tutrice d'un enfant qui a droit à des sommes au profit de l'enfant aux termes d'une ordonnance, d'un contrat familial ou d'un accord de paternité qui est exécutoire devant ce tribunal.
☐ le ou la cessionnaire d'une personne ou du gardien, de la gardienne, du tuteur ou de la tutrice d'un enfant qui a droit à des sommes aux termes d'une ordonnance, d'un contrat familial ou d'un accord de paternité qui est exécutoire devant ce tribunal.
☐ un ou une mandataire du directeur du Bureau des obligations alimentaires.
☐ (Autre. Précisez.)
2. Je joins une copie ☐ de l'ordonnance du tribunal ☐ du contrat familial
☐ de l'accord de paternité ☐ du cautionnement ou de l'engagement
 qui n'a pas été modifié par une ordonnance du tribunal ou un accord entre les parties, sauf (Écrivez «Néant» s'il n'y a eu aucune modification.)
3. Les paiements périodiques qui demeurent impayés à ce jour s'élèvent à \$ au total. Le calcul détaillé de cette somme est joint au présent état. (Reportez-vous à la marche à suivre.)
4. Les intérêts courus sur les paiements périodiques impayés entre la date de chaque paiement en défaut et aujourd'hui s'élèvent à \$. Le calcul détaillé des intérêts est joint au présent état. (Reportez-vous à la marche à suivre.)

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page.

Suite à la page suivante ➡

Formule 26 : État des sommes dues (page 2)

Numéro de dossier du greffe

MARCHE À SUIVRE POUR REMPLIR LA FORMULE 26 (État des sommes dues)

Point 3 :

Écrivez «Néant» :

a) si les paiements périodiques prévus par votre ordonnance, votre contrat familial ou votre accord de paternité sont acquittés en entier à ce jour;

b) si votre ordonnance, votre contrat familial ou votre accord de paternité n'exige pas que le payeur ou la payeuse fasse des paiements périodiques.

Si vous demandez le remboursement d'arriérés de paiements périodiques prévus par une ordonnance alimentaire, une amende ou confiscation à payer par versements échelonnés, un contrat familial ou un accord de paternité, vous **DEVEZ** joindre une ou plusieurs feuilles distinctes en annexe au présent état et y consigner l'historique ou le journal des paiements du payeur ou de la payeuse et de ses manquements. Le tableau ci-contre indique une façon de compiler ces renseignements. Le total général des paiements et des manquements doit correspondre à la somme qui figure au point 3.

Date	Somme due (Ajoutez au TOTAL)	Somme payée (Soustrayez du TOTAL)	TOTAL des sommes dues
4 sept. 1998	250 \$		250 \$
10 sept. 1998		250 \$	0 \$
16 sept. 1998	250 \$		250 \$
24 sept. 1998		150 \$	100 \$
2 oct. 1998	250 \$		350 \$
12 oct. 1998		125 \$	225 \$
18 oct. 1998	250 \$		475 \$
30 oct. 1998	250 \$		725 \$
30 oct. 1998	250 \$		975 \$

Point 4 :

Écrivez «Néant» : a) si vous ne demandez pas d'intérêts sur les paiements périodiques impayés;

b) si votre ordonnance, votre contrat familial ou votre accord de paternité vous interdit de demander des intérêts. (Si l'ordonnance, le contrat familial ou l'accord de paternité ne dit rien au sujet des intérêts, vous pouvez alors en demander si vous le désirez.)

Même si le payeur ou la payeuse est à jour dans ses paiements périodiques et que vous avez inscrit «Néant» au point 3, il se peut qu'il ou elle vous doive des intérêts pour cause de retard dans ses paiements. Donc, vous voudrez peut-être demander ces intérêts ici. S'il ne vous est pas interdit de demander des intérêts et que vous désirez le faire, vous **DEVEZ** joindre une ou plusieurs feuilles de travail en annexe au présent état. Sur ces feuilles :

c) vous devez expliquer la façon dont vous calculez les intérêts. À moins que l'ordonnance du tribunal, le contrat familial ou l'accord de paternité ne vous autorise expressément à composer les intérêts, vous devez utiliser des intérêts simples;

d) vous devez indiquer le taux d'intérêt approprié. Il se peut qu'il figure dans votre ordonnance, votre contrat familial ou votre accord de paternité. S'il n'y figure pas, vous devez vous servir du taux autorisé par l'article 127 de la *Loi sur les tribunaux judiciaires*. Vous pouvez aussi obtenir ce renseignement auprès du greffe;

e) pour chaque paiement entièrement ou partiellement en souffrance, vous devez calculer le montant des intérêts autorisé par le paragraphe 129 (2) de la *Loi sur les tribunaux judiciaires*, à compter de la date d'échéance jusqu'à aujourd'hui ou jusqu'à ce que la somme en souffrance soit acquittée en entier, selon la première de ces éventualités.

Point 5 :

Écrivez «Néant» : a) si la somme forfaitaire (qu'elle résulte d'une ordonnance, d'une confiscation, d'une amende ou des dispositions relatives aux aliments d'un contrat familial ou d'un accord de paternité) est acquittée en entier;

b) si le payeur ou la payeuse n'a pas à payer une somme forfaitaire.

Si la somme forfaitaire a été payée en partie, vous **DEVEZ** joindre une ou plusieurs feuilles distinctes en annexe au présent état et y consigner l'historique ou le journal des paiements partiels du payeur ou de la payeuse comme sur le tableau ci-contre. Le total général des paiements et des manquements doit correspondre à la somme que vous demandez au point 5.

Date	Somme due (Ajoutez au TOTAL)	Somme payée (Soustrayez du TOTAL)	TOTAL des sommes dues
1 ^{er} déc. 1998	24 000 \$		24 000 \$
29 déc. 1998		4 700 \$	19 300 \$
12 fév. 1999		1 800 \$	17 500 \$
6 mai 1999		1 226,40 \$	16 273,60 \$

Point 6 :

Écrivez «Néant» : a) si vous ne demandez pas d'intérêts sur la somme forfaitaire;

b) si votre ordonnance, votre contrat familial ou votre accord de paternité vous interdit de demander des intérêts.

Même si la somme forfaitaire a été acquittée en entier et que vous avez inscrit «Néant» au point 5, il se peut que vous ayez droit à des intérêts sur cette somme pour les fois où des paiements étaient en souffrance et vous voudrez peut-être demander ces intérêts ici. S'il ne vous est pas interdit de demander des intérêts et que vous désirez le faire, vous **DEVEZ** joindre une ou plusieurs feuilles de travail en annexe au présent état. Sur ces feuilles :

c) vous devez expliquer la façon dont vous calculez les intérêts. À moins que l'ordonnance du tribunal, le contrat familial ou l'accord de paternité ne vous autorise spécifiquement à composer les intérêts, vous devez utiliser des intérêts simples;

d) vous devez indiquer le taux d'intérêt approprié. Il se peut qu'il figure dans votre ordonnance, votre contrat familial ou votre accord de paternité. S'il n'y figure pas, vous devez vous servir du taux autorisé par l'article 127 de la *Loi sur les tribunaux judiciaires*. Vous pouvez aussi obtenir ce renseignement auprès du greffe;

e) pour chaque paiement partiel, vous devez calculer le montant des intérêts à compter de la date de l'ordonnance, du contrat familial ou de l'accord de paternité jusqu'à la date du paiement. Les intérêts sur le solde toujours en souffrance seront calculés à compter de la date de l'ordonnance, du contrat familial ou de l'accord de paternité jusqu'à aujourd'hui.

Suite à la page suivante ➡

Formule 26 : État des sommes dues (page 3)

Numéro de dossier du greffe

5. La somme forfaitaire au titre ☐ des aliments ☐ des paiements d'égalisation
☐ des dépens ☐ de l'amende pour outrage au tribunal
☐ (Autre. Précisez.)

qui demeure impayée à ce jour s'élève à \$. Le calcul détaillé est joint au présent état. (Reportez-vous à la marche à suivre.)

6. Les intérêts impayés sur la somme forfaitaire à ce jour s'élèvent à \$. Le calcul détaillé est joint au présent état. (Reportez-vous à la marche à suivre.)

7. Les dépens qui demeurent impayés à ce jour s'élèvent à \$. Le calcul détaillé est joint au présent état. (Reportez-vous à la marche à suivre.)

8. Les intérêts impayés sur les dépens à ce jour s'élèvent à \$. Le calcul détaillé est joint au présent état. (Reportez-vous à la marche à suivre.)

DISPOSITIONS SUR LE DÉSINTÉRESSEMENT DES CRÉANCIERS

9. Des sommes indiquées aux points 5 et 6, l'attribue \$ du total aux éléments versés sous forme de somme forfaitaire. (Reportez-vous à la marche à suivre.)

10. Des sommes indiquées aux points 3 et 4, l'attribue \$ du total aux éléments versés sous forme de paiements périodiques. (Reportez-vous à la marche à suivre.)

11. Les sommes indiquées aux points 9 et 10 s'élèvent au total à \$.

12. J'ai effectué les calculs qui figurent dans le présent état et les feuilles jointes correctement et au mieux de ma compétence.

TOTAL GÉNÉRAL

13. La somme totale exécutoire devant ce tribunal que je demande au payeur ou à la payeuse est la suivante :

a) paiements périodiques impayés (point 3)\$
b) intérêts sur les paiements périodiques impayés (point 4)\$
c) dette forfaitaire impayée (point 5)\$
d) intérêts sur la dette forfaitaire impayée (point 6)\$
e) dépens impayés (point 7)\$
f) intérêts sur les dépens impayés (point 8)\$
TOTAL\$

Tracez une ligne horizontale au travers de tout espace laissé en blanc sur la présente page.

Déclaré sous serment/Affirmé solennellement devant moi à

municipalité

à/en/au

province, État ou pays

le date

Commissaire aux affidavits

(Dactylographiez le nom ou écrivez-le en caractères d'imprimerie ci-dessous si la signature est illisible.)

Signature

(Le présente formule doit être signée en présence d'un avocat, d'un juge de paix, d'un notaire ou d'un commissaire aux affidavits.)

REMARQUE : Vous devez joindre au présent état une photocopie de l'ordonnance, du contrat familial, de l'accord de paternité, du cautionnement ou de l'engagement que vous exécuterez par l'intermédiaire du tribunal. Dans le cas d'un cautionnement ou d'un engagement, vous devez également joindre une photocopie de l'ordonnance de confiscation. Si les dépens ont été fixés séparément, vous devriez joindre une photocopie de l'ordonnance ou du certificat de dépens.

Les imprimés d'ordinateur sont acceptables à condition qu'ils soient conformes dans l'ensemble aux exemples ou tableaux qui figurent dans la marche à suivre ci-dessus.

Suite à la page suivante ➡

Formule 26 : État des sommes dues (page 4)

Numéro de dossier du greffe

MARCHE À SUIVRE POUR REMPLIR LA FORMULE 26 (État des sommes dues) (suite)**Point 7 :**

- Écrivez «Néant» :
- a) si les dépens sont acquittés en entier;
 - b) si le tribunal ne vous a pas condamné(e) aux dépens.

Si les dépens ont été payés en partie, vous **DEVEZ** joindre une ou plusieurs feuilles distinctes en annexe au présent état et y consigner l'historique ou le journal des paiements partiels du payeur ou de la payeuse comme l'illustre le tableau qui figure à côté de la remarque au point 5. Le total final doit correspondre à la somme que vous demandez au point 7.

Point 8 :

- Écrivez «Néant» :
- a) si vous ne demandez pas d'intérêts sur les dépens;
 - b) si votre ordonnance vous interdit de demander des intérêts sur les dépens.

Même si les dépens ont été acquittés en entier et que vous avez inscrit «Néant» au point 8, il se peut que vous ayez droit à des intérêts sur ces dépens pour les fois où des paiements à leur égard étaient en souffrance et vous voudrez peut-être demander ces intérêts ici. Si vous demandez des intérêts sur les dépens, vous **DEVEZ** joindre une ou plusieurs feuilles de travail en annexe au présent état. Sur ces feuilles :

- c) vous devez expliquer la façon dont vous calculez les intérêts. À moins que le tribunal ne vous autorise spécifiquement à composer les intérêts, vous devez utiliser des intérêts simples;
- d) vous devez indiquer le taux d'intérêt approprié en vigueur à la date où l'ordonnance a été rendue ou celui autorisé par le tribunal au moment où il a rendu l'ordonnance. Vous pouvez obtenir ce renseignement auprès du greffe;
- e) pour chaque paiement partiel, vous devez calculer le montant des intérêts à compter de la date de l'ordonnance jusqu'à la date du paiement. Les intérêts sur le solde toujours en souffrance seront calculés à compter de la date de l'ordonnance jusqu'à aujourd'hui.

Point 9 :

Écrivez «Néant» si votre demande de somme forfaitaire n'a rien à voir avec les aliments ou l'entretien. Sinon, calculez la fraction de cette somme qui se rapporte aux aliments ou à l'entretien. Vous avez le droit d'inclure les intérêts courus.

Ce chiffre sera nécessaire au greffier du tribunal et à d'autres, comme le shérif, parce que la *Loi sur le désintéressement des créanciers* les oblige à donner la priorité à votre demande de somme forfaitaire au titre des aliments sur les demandes d'autres gens munis d'ordonnances contre le payeur ou la payeuse. Voici ce que dit l'article 4 de cette loi :

4. **Priorité des ordonnances alimentaires** — (1) Une ordonnance alimentaire a priorité sur d'autres créances constatées par jugement, quel que soit le moment où le bref d'exécution a été délivré ou signifié :

- a) pour la totalité du montant de l'arriéré exigible aux termes de l'ordonnance au moment de la saisie ou de la saisie-arrest, si l'ordonnance prévoit des paiements périodiques;
- b) pour la totalité du montant global, si l'ordonnance prévoit le paiement d'un montant global.

(2) **Rang égal** — Les ordonnances alimentaires ont égalité de rang entre elles.

(3) **Mention sur l'acte** — Le bref relatif à l'exécution d'une ordonnance alimentaire porte au recto une mention indiquant que celui-ci a trait à une obligation alimentaire.

(4) **Couronne liée** — Le paragraphe (1) lie la Couronne du chef de l'Ontario.

Point 10 :

Écrivez «Néant» si votre demande n'a rien à voir avec des paiements périodiques au titre des aliments ou de l'entretien. Sinon, calculez la fraction de votre demande qui se rapporte à de tels paiements. Vous avez le droit d'inclure les intérêts courus.

Ce chiffre et celui qui figure au point 9 seront nécessaires au greffier du tribunal et à d'autres, comme le shérif, pour déterminer la priorité que vos arriérés d'aliments devraient avoir sur les demandes d'autres gens munis d'ordonnances contre le payeur ou la payeuse. Reportez-vous au paragraphe 4 (1) de la *Loi sur le désintéressement des créanciers*.

Suite à la page suivante ➡

(page) Numéro de dossier du greffe
(numéro de page)

[illegible]

Formule 26 : État des sommes dues : ANNEXE..... (page.....) Numéro de dossier du greffe.....
(A, B, C, etc.) (numéro de page)

[illegible]

Formule 26 : État des sommes dues : ANNEXE (page) Numéro de dossier du greffe
(A, B, C, etc.) (numéro de page))

CALCUL DES INTÉRÊTS

- 1. Les calculs ci-dessous se rapportent aux intérêts courus sur *(Indiquez la nature de l'ordonnance, du jugement ou du contrat.)*

- 2. LES CALCULS CI-DESSOUS SONT FONDÉS SUR
 - ☐ DES INTÉRÊTS SIMPLES
 - ☐ DES INTÉRÊTS COMPOSÉS, CALCULÉS *(indiquez la fréquence du calcul)*
 - ☐ *(Autre. Précisez.)*

- 3. Le taux d'intérêt permis par la loi est de % par (fréquence).....

- 4. Les intérêts sont calculés comme suit :

Numéro de dossier du greffe

(Nom du tribunal)

Formule 26A : Affidavit
des frais d'exécution

situé(e) au

Adresse du greffe

daté du

Bénéficiaire(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).
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Payeur ou payeuse

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).
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Je m'appelle (nom et prénom officiels)

J'habite à (municipalité et province)

et je déclare sous serment/j'affirme solennellement que les renseignements suivants sont véridiques :

1. Je suis ☐ une personne qui a droit à des sommes aux termes d'une ordonnance, d'un contrat familial ou d'un accord de paternité qui est exécutoire devant ce tribunal.
- Joignez une copie de l'ordonnance, du contrat ou de l'accord.* ☐ le gardien, la gardienne, le tuteur ou la tutrice d'un enfant qui a droit à des sommes au profit de l'enfant aux termes d'une ordonnance, d'un contrat familial ou d'un accord de paternité qui est exécutoire devant ce tribunal.
- ☐ le ou la cessionnaire d'une personne ou du gardien, de la gardienne, du tuteur ou de la tutrice d'un enfant qui a droit à des sommes aux termes d'une ordonnance, d'un contrat familial ou d'un accord de paternité qui est exécutoire devant ce tribunal.
- ☐ un ou une mandataire du directeur du Bureau des obligations alimentaires.
- ☐ (Autre. Précisez.)
2. Pour exécuter l'ordonnance, le contrat familial ou l'accord de paternité, j'ai pris les mesures suivantes pour lesquelles je demande mes dépens aux termes des règles de procédure :
- ☐ Un interrogatoire sur la situation financière du payeur ou de la payeuse a eu lieu.
 - ☐ Un bref de saisie-exécution a été délivré, déposé et exécuté.
 - ☐ Un avis de saisie-arrêt a été délivré, signifié, déposé et exécuté.
 - ☐ Un bref de saisie-exécution a été modifié par voie de déclaration solennelle.
 - ☐ Un avis de saisie-arrêt a été modifié par voie de déclaration solennelle.
 - ☐ (Autre. Précisez.)

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page

Suite à la page suivante ➡

Formule 26A : Affidavit des frais d'exécution (page 2)

Numéro de dossier du greffe

3. Les détails de ma demande sont les suivants : (Pour chaque article de dépense, indiquez la date et le montant du paiement. Si les reçus sont disponibles, veuillez les joindre et les numérotés consécutivement.)

ARTICLE DE DÉPENSE	DATE	MONTANT	Reçu n°
			1
			2
			3
			4
			5
			6
			7
			8
			9
			10
			11
			12
			13
			14
			15
			16
			17
			18
			19
			20
			21
			22
			23

Au besoin, joignez des feuilles supplémentaires et numérotez-les.

Déclaré sous serment/Affirmé solennellement devant moi à
municipalité

à/en/au
province, État ou pays

le
date
Commissaire aux affidavits
(Dactylographiez le nom ou écrivez-le en caractères d'imprimerie ci-dessous si la signature est illisible.)

Signature

(La présente formule doit être signée en présence d'un avocat, d'un juge de paix, d'un notaire ou d'un commissaire aux affidavits.)

Numéro de dossier du greffe

(Nom du tribunal)

Formule 26B : Affidavit

situé(e) au

Adresse du greffe

daté du
pour le dépôt d'un contrat
familial ou d'un accord de
paternité au tribunal

Bénéficiaire(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Payeur ou payeuse

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Je m'appelle (nom et prénom officiels)

J'habite à (municipalité et province)

et je déclare sous serment/j'affirme solennellement que les renseignements suivants sont véridiques :

1. Je joins une copie ☐ d'un contrat de mariage ☐ d'un accord de cohabitation
☐ d'un accord de séparation ☐ d'un accord de paternité

que je dépose auprès du tribunal pour que ses dispositions relatives aux aliments puissent être exécutées ou modifiées comme s'il s'agissait d'une ordonnance du tribunal.

2. Le contrat ou l'accord n'a pas été annulé ou écarté par le tribunal ni modifié par entente entre les parties.

Déclaré sous serment/Affirmé solennellement devant moi à
municipalité

à/en/au
province, État ou pays

le
date
(Dactylographiez le nom ou écrivez-le en caractères d'imprimerie ci-dessous si la signature est illisible.)

Commissaire aux affidavits

Signature

(La présente formule doit être signée en présence d'un avocat, d'un juge de paix, d'un notaire ou d'un commissaire aux affidavits.)

Numéro de dossier du greffier

(Nom du tribunal)

**Formule 26C : Avis de
transfert d'exécution**

situé(e) au

Adresse du greffier

Bénéficiaire(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Payeur ou payeuse

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

AUX PARTIES À CETTE PROCÉDURE D'EXÉCUTION,

AU GREFFIER DU TRIBUNAL au (énumérez les tribunaux à partir desquels la procédure d'exécution a été effectuée)

ET AU SHÉRIF DE (énumérez les régions où le shérif a participé à la procédure d'exécution)

- ☐ Je suis le ou la bénéficiaire mentionné(e) ci-dessus

☐ L'ordonnance ☐ Le contrat familial ☐ L'accord de paternité

ci-joint a été retiré du programme d'exécution dont s'occupe le directeur du Bureau des obligations familiales. À ma demande, le directeur m'a cédé la ou les mesures d'exécution énumérées ci-dessous qu'il avait entreprises.

- ☐ Je m'appelle (nom et prénom officiels)

Je suis un ou une mandataire autorisé(e) du directeur du Bureau des obligations familiales. Les bénéficiaires (nom)

ont déposé ☐ l'ordonnance ☐ le contrat familial ☐ l'accord de paternité

ci-joint au bureau du directeur aux fins d'exécution. À ma demande, les bénéficiaires ont cédé au directeur la ou les mesures d'exécution énumérées ci-dessous qu'ils ou elles avaient entreprises.

Signature

Date de la signature

Suite à la page suivante ➡

Formule 26C : Avis de transfert d'exécution (page 2)

Numéro de dossier du greffe

MESURES D'EXÉCUTION QUI SONT TRANSFÉRÉES		
NOM DE LA MESURE D'EXÉCUTION	LIEU OÙ ELLE A ÉTÉ ENTREPRISE	DATE OÙ ELLE A ÉTÉ ENTREPRISE

Au besoin, joignez des feuilles supplémentaires et numérotez-les.

Numéro de dossier du greffe

(Nom du tribunal)

**Formule 27 : Demande
d'état financier**

situé(e) au

Adresse du greffe

Bénéficiaire(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Payeur ou payeuse

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

À : (nom de la partie)

Je prétends que vous avez omis d'effectuer des paiements prévus par une ordonnance, un contrat familial ou un accord de paternité, dont une copie est jointe au présent avis.

VOUS DEVEZ PRÉPARER UN ÉTAT FINANCIER (formule 13) dans les 15 jours de la signification du présent avis. Un exemplaire de la formule d'état financier devrait accompagner celui-ci ou y être joint. S'il ne l'est pas, communiquez avec votre avocat ou le greffe immédiatement.

VOUS DEVEZ ENVOYER PAR LA POSTE votre état financier dûment rempli, d'ici 15 jours, à : (personne et adresse)

SI, CONTRAIREMENT AU PRÉSENT AVIS, VOUS N'ENVOYEZ PAS PAR LA POSTE L'ÉTAT FINANCIER DÛMENT REMPLI, LE TRIBUNAL PEUT VOUS ORDONNER DE LE FAIRE ET VOUS CONDAMNER AUX DÉPENS. SI VOUS N'OBSERVEZ PAS L'ORDONNANCE, LE TRIBUNAL PEUT RENDRE UNE ORDONNANCE D'EMPRISONNEMENT CONTRE VOUS.

Signature

Date de la signature

Numéro de dossier du greffe

(Nom du tribunal)

**Formule 27A : Demande
d'état des revenus**

situé(e) au

Adresse du greffe

Bénéficiaire(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Payeur ou payeuse

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

À : (nom et adresse de la source de revenu)

Je prétends que le payeur ou la payeuse a omis d'effectuer des paiements prévus par une ordonnance, un contrat familial ou un accord de paternité.

VOUS DEVEZ PRÉPARER UN ÉTAT DES REVENUS selon la formule 27B concernant le payeur ou la payeuse mentionné plus haut. Un exemplaire de l'état des revenus devrait accompagner le présent avis ou y être joint. S'il ne l'est pas, communiquez avec votre avocat ou le greffe immédiatement.

VOUS DEVEZ ENVOYER PAR LA POSTE l'état des revenus dûment rempli, dans les 10 jours de la signification du présent avis, à : (personne et adresse)

SI, CONTRAIREMENT AU PRÉSENT AVIS, VOUS N'ENVOYEZ PAS PAR LA POSTE L'ÉTAT DES REVENUS DÛMENT REMPLI, LE TRIBUNAL PEUT VOUS ORDONNER DE LE FAIRE ET VOUS CONDAMNER AUX DÉPENS.

Signature

Date de la signature

Numéro de dossier du greffe

(Nom du tribunal)

**Formule 27B : État des
revenus versés par
la source de revenu**

situé(e) au

Adresse du greffe

Bénéficiaire(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Payeur ou payeuse

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

1. Je m'appelle (nom et prénom officiels)

2. ☐ Je suis ☐ une source de revenu du payeur ou de la payeuse.
☐ un(e) employé(e) d'une source de revenu du payeur ou de la payeuse.
☐ (Autre. Précisez.)

OU

- ☐ Ni moi-même ni l'organisation pour laquelle je travaille ne constituons une source de revenu du payeur ou de la payeuse pour les raisons suivantes :
- ☐ aucune somme d'argent n'est due au payeur ou à la payeuse pour une raison mentionnée au point 3 ci-dessous.
 - ☐ le payeur ou la payeuse n'a jamais travaillé pour moi ou mon organisation.
 - ☐ le payeur ou la payeuse a travaillé pour moi ou mon organisation, mais a cessé de travailler le : (date)
 - ☐ (Autre. Précisez.)

(Biffer le point 3 si vous n'êtes pas une source de revenu.)

3. Je dois de l'argent au payeur ou à la payeuse à l'un ou l'autre des titres suivants : (cochez une ou plusieurs cases ci-dessous)

- ☐ rémunération ou salaire de \$ par
- ☐ heures supplémentaires qui, au cours des 6 derniers mois, s'élevaient à \$.
- ☐ commission, prime, allocation à la pièce ou autre paiement lié au rendement qui, au cours des 6 derniers mois, s'élevait à \$.
- ☐ prestations versées aux termes d'un régime d'assurance accidents, invalidité ou maladie qui, au cours des 6 derniers mois, s'élevaient à \$.
- ☐ pension d'invalidité, de retraite ou autre de \$ par
- ☐ rente de \$ par
- ☐ indemnité de vacances ou indemnité de cessation d'emploi de \$.
- ☐ (Autre. Précisez.)

Signature

Date de la signature

Numéro de dossier du greffe

(Nom du tribunal)

situé(e) au

Adresse du greffe

Formule 27C :
Convocation à un
interrogatoire sur la
situation financière

Bénéficiaire(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).
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Payeur ou payeuse

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).
---	--

À : (nom et prénom officiels de la personne devant être interrogée)

Je prétends que vous avez omis d'effectuer des paiements prévus par l'ordonnance, le contrat familial ou l'accord de paternité ci-joint. Le but de cet interrogatoire consiste à déterminer :

- a) votre capacité de payer la somme due;
- b) votre capacité de continuer à observer l'ordonnance, le contrat familial ou l'accord de paternité.

VOUS DEVEZ PRÉPARER UN ÉTAT FINANCIER selon la formule 13 et le signifier au/à la bénéficiaire ou à son avocat(e) au moins 7 jours avant la date de l'interrogatoire. Un exemplaire de la formule d'état financier devrait accompagner le présent avis ou y être joint. S'il ne l'est pas, communiquez avec votre avocat ou le greffe immédiatement.

VOUS DEVEZ ENSUITE VOUS PRÉSENTER À UN INTERROGATOIRE SUR VOTRE SITUATION FINANCIÈRE le (date) à (heure) au (lieu de l'interrogatoire) :

Vous pouvez vous faire accompagner par votre avocat.

VOUS DEVEZ APPORTER À L'INTERROGATOIRE les documents ou choses en votre possession ou sous votre contrôle qui sont énumérés ci-dessous.

SI VOUS NE VOUS PRÉSENTEZ PAS À L'INTERROGATOIRE, LE TRIBUNAL PEUT RENDRE UNE ORDONNANCE SANS VOUS ET L'EXÉCUTER CONTRE VOUS.

Signature

Date de la signature

Suite à la page suivante ➡

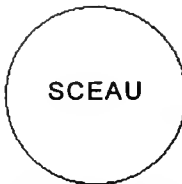
**Formule 27C : Convocation à un interrogatoire
sur la situation financière (page 2)**

Numéro de dossier du greffe.

(Indiquez la nature et la date de chaque document et donnez suffisamment de détails pour pouvoir identifier chaque document et chose que le payeur ou la payeuse doit apporter à l'interrogatoire. Écrivez «Néant» si lui ou elle ne doit rien apporter.)

- ☐ Une copie de la déclaration de revenus que vous avez remise au ministère du Revenu national (ainsi que de tout document à l'appui) pour les années ainsi qu'une copie de tout avis de cotisation ou de nouvelle cotisation que vous avez reçu du ministère pour ces années.
- ☐ Une preuve de votre revenu (y compris les talons de chèques de paye) pour le ou les derniers mois.
- ☐ Un imprimé d'ordinateur de chaque banque, société de fiducie, société de prêt, crédit union, caisse populaire ou caisse d'épargne de la province de l'Ontario à laquelle vous avez eu un compte pendant le ou les derniers mois, indiquant toutes les opérations faites dans le compte au cours de cette période.

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page.



(Nom du Tribunal)

Numéro de dossier du greffe

situé(e) au Adresse du greffe

Formule 28 : Bref de saisie-exécution

Bénéficiaire(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Payeur ou payeuse

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

AU SHÉRIF DE (nom de la localité)

Une ordonnance, un contrat familial ou un accord de paternité qui est exécutoire devant ce tribunal et qui exige que le payeur/payeuse effectue des paiements au/à la bénéficiaire est en défaut.

IL VOUS EST PAR CONSÉQUENT ORDONNÉ DE SAISIR-EXÉCUTER les biens meubles et immeubles situés dans votre localité qui appartiennent à (nom et prénom officiels du payeur ou de la payeuse) et d'obtenir les sommes suivantes:

Indiquez le montant à obtenir qui figure au point 4 b) de la demande de bref de saisie-exécution. Indiquez la date à laquelle l'état des sommes dues a fait l'objet d'une prestation de serment ou d'une affirmation solennelle.

Cochez le case appropriée
Priorité des versements d'aliments: Indiquez la somme figurant au point 3 de la demande de bref de saisie-exécution.
Cession de dépens en faveur du Barreau du Haut-Canada : Indiquez la somme figurant au point 4 c) de la demande de bref de saisie-exécution.
 Amende, cautionnement ou engagement.

a) la somme de \$, majorée des intérêts au taux annuel de % cours, à compter du (date)

b) vos honoraires et les frais que vous avez engagés pour exécuter le présent bref.

☐ La somme à obtenir comprend des aliments impayés de \$.

VOUS DEVEZ PAR CONSÉQUENT, aux termes du paragraphe 4 (1) de la *Loi sur le désintéressement des créanciers*, accorder la priorité à cette somme sur tous autres jugements et ordonnances.

☐ Une *Cession de jugement des dépens (Assignment of Judgment of Costs)* de \$ a été effectuée en faveur du Barreau du Haut-Canada.

VOUS DEVEZ PAR CONSÉQUENT, aux termes du paragraphe 17 (2) de la *Loi sur l'aide juridique*, déduire cette somme du produit de la vente et la verser au Barreau du Haut-Canada.

☐ Le présent bref exécute la somme de \$ à titre :

☐ d'amende pour outrage à ce tribunal,

☐ de cautionnement ou d'engagement perdu

payable à l'ordre de ☐ Sa Majesté la Reine

☐ (Autre. Précisez.)

VOUS DEVEZ PAR CONSÉQUENT, aux termes du paragraphe 143 (3) de la *Loi sur les tribunaux judiciaires*, procéder immédiatement à l'exécution du bref, sans ordre d'exécution.

IL VOUS EST DE PLUS ORDONNÉ DE PAYER CES SOMMES CONFORMÉMENT À LA LOI ET DE FAIRE UN RAPPORT SUR L'EXÉCUTION DU PRÉSENT BREF SI LA PARTIE OU SON AVOCAT QUI L'A DÉPOSÉ L'EXIGE

Signature du greffier du tribunal

Date de la signature

Formule 28: Bref de saisie-exécution

Numéro de dossier du greffe

Nom du payeur ou de la payeuse :

Nom du/de la ou des bénéficiaires :

HONORAIRES		
Honoraires	Article	Fonctionnaire

(Nom du tribunal)

situé(e) au

Adresse du greffe

Bref de saisie-exécution

Nom et prénom officiels de la partie qui a déposé le présent bref :

Adresse aux fins de signification de la partie qui a déposé le présent bref :

Nom, adresse, numéros de téléphone et de télécopieur et adresse électronique de l'avocat(e) de la personne qui a déposé le présent bref :

REMARQUE : Le présent bref n'a pas de date d'expiration automatique. Il demeure en vigueur, selon le cas :
a) jusqu'à ce qu'il soit retiré par la partie qui l'a déposé ou en son nom;
b) jusqu'à ce qu'il soit annulé ou suspendu par ordonnance d'un tribunal de l'Ontario

Numéro de dossier du greffe

(Nom du tribunal)

**Formule 28A : Demande de
bref de saisie-exécution**

situé(e) au

Adresse du greffe

Bénéficiaire(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).
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Payeur ou payeuse

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).
---	--

AU GREFFIER DU TRIBUNAL :

1. Je suis ☐ la personne qui a signé l'état des sommes dues ci-joint.
☐ l'avocat(e) de la personne qui a signé l'état des sommes dues ci-joint.
☐ (Autre. Précisez.)
2. L'état des sommes dues ci-joint contient une demande de \$ (Indiquez la somme figurant au point 13 de l'état des sommes dues.)
3. Cette demande comprend des aliments impayés de \$, somme qui a priorité sur toutes les autres créances judiciaires des créanciers du payeur ou de la payeuse.
4. Je demande la délivrance d'un bref de saisie-exécution à l'adresse du shérif de chacune des localités suivantes aux fins indiquées : (Indiquez les localités)
 - a) saisir-exécuter les biens meubles et immeubles du payeur ou de la payeuse dans cette localité;
 - b) obtenir de cette saisie-exécution : ☐ la somme indiquée au point 2;
☐ la somme de \$ (Indiquez ici une somme inférieure à celle figurant au point 2 si vous ne désirez pas en faire exécuter la totalité par voie de saisie-exécution.);
 - c) payer le produit conformément à la loi, y compris un versement de \$ (Écrivez «NÉANT» si aucune cession n'a été faite) au Barreau du Haut-Canada conformément à la formule ci-jointe intitulée Assignment of Judgment of Costs (Cession de jugement des dépens) en faveur du Barreau.

Signature

Date de la signature

REMARQUE : Vous devez déposer la présente demande ainsi qu'un nouvel état des sommes dues, selon la formule 26, auprès du greffier du tribunal. Si vous avez indiqué une somme au point 4 c), une copie de la cession des dépens doit être jointe à votre demande et à chaque bref de saisie-exécution que vous déposez auprès d'un shérif et d'un registrateur des biens-fonds.

Numéro de dossier du greffe

(Nom du tribunal)

Formule 28B : Déclaration
solennelle au shérif

situé(e) au

Adresse du greffe

Bénéficiaire(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Payeur ou payeuse

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Je m'appelle (nom et prénom officiels)

J'habite à (municipalité et province)

et je déclare que les renseignements suivants sont véridiques :

- Je suis ☐ un(e) bénéficiaire en vertu d'une ordonnance de paiement.
☐ un(e) mandataire du directeur du Bureau des obligations familiales.
☐ un(e) cessionnaire d'un(e) bénéficiaire en vertu d'une ordonnance de paiement.
☐ (Autre. Précisez.)
- Le (date), , un bref de saisie-exécution a été délivré dans cette cause, dont une copie est ci-jointe.
- La somme due aujourd'hui aux termes de l'ordonnance de paiement s'élève à \$, y compris des intérêts annuels au taux de % à compter du (date à laquelle les intérêts commencent à courir)
- La somme figurant au point 3 comprend des aliments impayés de \$ qui, aux termes du paragraphe 4 (1) de la Loi sur le désintéressement des créanciers, ont priorité sur tous autres jugements et ordonnances.
- Une Cession de jugement de dépens (Assignment of Judgment of Costs) supplémentaire de \$ (écrivez «NÉANT» s'il n'y en a pas) a été effectuée en faveur du Barreau du Haut-Canada. Aux termes du paragraphe 17 (2) de la Loi sur l'aide juridique, cette somme doit être déduite du produit de la vente et versée au Barreau du Haut-Canada.
- La somme figurant au point 3 comprend la somme de \$ à titre d'amende pour outrage à ce tribunal ou de cautionnement ou d'engagement perdu par suite d'une instance civile et payable à l'ordre de :
☐ Sa Majesté la Reine ☐ (Autre. Précisez.)

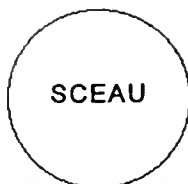
De plus, aux termes du paragraphe 143 (3) de la Loi sur les tribunaux judiciaires, le bref de saisie-exécution peut être exécuté immédiatement pour recouvrer cette somme, sans ordre d'exécution.

Déclaré devant moi à
municipalité

à/en/au
province, État ou pays

le
date
Commissaire aux affidavits
(Dactylographiez le nom ou écrivez-le en caractères d'imprimerie si la signature est illisible)

Signature
(La présente formule doit être signée en présence d'un avocat, d'un juge de paix, d'un notaire ou d'un commissaire aux affidavits)



_____ Numéro de dossier du greffe

 (Nom du tribunal)

 situé(e) au _____

 Adresse du greffe

Formule 28C : Bref de
saisie temporaire

Requérant(e)(s)/Bénéficiaire(s) (Biffez le terme qui ne s'applique pas)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Intimé(e)(s)/Payeur ou payeuse (Biffez le terme qui ne s'applique pas)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

AU SHÉRIF DE (nom de la localité)

Sur motion présentée par (nom de la partie)

le tribunal a donné la permission le (date) de délivrer le présent bref.

IL VOUS EST PAR CONSÉQUENT ORDONNÉ DE SAISIR ET DE DÉTENIR les biens suivants situés dans votre localité qui appartiennent à (nom et prénom officiels de l'intimé(e) ou du payeur ou de la payeuse)

*Décrivez les biens qui
doivent être saisis et
détenus.*

IL VOUS EST ÉGALEMENT ORDONNÉ DE PERCEVOIR ET DE CONSERVER tout revenu de ces biens.

Signature du greffier du tribunal

Date de la signature

Numéro de dossier du greffe

(Nom du tribunal)

**Formule 29 : Demande
de saisie-arrêt**

situé(e) au

Adresse du greffe

Bénéficiaire(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Payeur ou payeuse

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

AU GREFFIER DU TRIBUNAL :

1. Je suis ☐ la personne qui a signé l'état des sommes dues ci-joint.
☐ l'avocat(e) de la personne qui a signé l'état des sommes dues ci-joint.
☐ un(e) mandataire du directeur du Bureau des obligations familiales.
☐ (Autre. Précisez.)
2. Je désire exécuter par saisie-arrêt la somme de\$, soit la somme demandée dans l'état des sommes dues ci-joint. (Si vous désirez recouvrer des paiements périodiques futurs ainsi que les arriérés, cochez la case ci-dessous.)
☐ Je désire également que la saisie-arrêt vise des paiements futurs. \$ par (période).
3. Je demande qu'un avis de saisie-arrêt distinct soit délivré et envoyé à chaque personne dont le nom figure à l'annexe de la présente formule et dont j'ai des raisons de croire qu'elle doit ou devra de l'argent au payeur ou à la payeuse selon les montants indiqués à cette annexe.

Signature de l'auteur(e) de la demande
ou de son avocat(e)

Date de la signature

REMARQUE : Vous devez joindre à titre d'annexe une ou plusieurs feuilles sur lesquelles vous énumérez le ou les personnes qui doivent ou devront de l'argent au payeur ou à la payeuse. Vous devez également préparer et joindre à la présente demande un nouvel état des sommes dues selon la formule 26 (préparé au cours des 30 derniers jours) et le déposer auprès du greffier du tribunal.

- Si
- a) d'une part, l'obligation qu'a le payeur ou la payeuse d'effectuer des paiements aux termes de l'ordonnance, du contrat familial ou de l'accord de paternité que vous exécutez au moyen de cette saisie-arrêt doit prendre fin ou être remplie;
 - b) d'autre part, le payeur ou la payeuse ne doit plus rien aux termes de l'ordonnance, du contrat familial ou de l'accord de paternité,

ou si vous décidez simplement que vous ne désirez plus exécuter l'ordonnance, le contrat familial ou l'accord de paternité au moyen de cette saisie-arrêt, vous devez immédiatement remplir un avis de suspension de la saisie-arrêt selon la formule 29H, le signifier au payeur ou à la payeuse et à chaque tiers saisi et le déposer, avec une preuve de sa signification, auprès du greffier du tribunal à l'adresse du greffe ci-dessus.

Suite à la page suivante ➡

Formule 29 : Demande de saisie-arrêt — ANNEXE (page) Numéro de dossier du greffe.....

Nom du tiers saisi :

Adresse du tiers saisi :

Somme que le tiers saisi doit ou devra au payeur ou à la payeuse :

- ☐ **sommes périodiques** ☐ **da. \$**
☐ **dont je ne connais pas le montant**

et qui sont ou seront payées le (Indiquez la fréquence des paiements. Inscrivez «Je ne sais pas» si vous ne connaissez pas la fréquence.)

- ☐ *somme forfaitaire* ☐ *de..... \$*
☐ *dont je ne connais pas le montant*

Description de la dette dont le tiers saisi est redevable au payeur ou à la payeuse :

- ☐ salaire, commissions et autre revenu d'emploi ☐ loyer
- ☐ sommes détenues dans une banque, une caisse populaire ou un autre établissement
- ☐ pension de retraite ☐ (Autre, Précisez.)

Nom du tiers saisi :

Adresse du tiers saisi :

Somme que la tiers saisi doit ou devra au payeur ou à la payeuse :

- ☐ **sommes périodiques** ☐ **de..... \$**
☐ **dont je ne connais pas le montant**

et qui sont ou seront payées le (Indiquez la fréquence des paiements. Inscrivez «Je ne sais pas» si vous ne connaissez pas la fréquence.)

- ☐ *somme forfaitaire* ☐ *de.....\$*
☐ *dont je ne connais pas le montant*

Description de la dette dont le tiers saisi est redevable au payeur ou à la payeuse :

- ☐ salaire, commissions et autre revenu d'emploi ☐ loyer
- ☐ sommes détenues dans une banque, une caisse populaire ou un autre établissement
- ☐ pension de retraite ☐ (Autre. Précisez.)

Nom du tiers saisi :

Adresse du tiers saisi :

Somme que le tiers saisi doit ou devra au payeur ou é la payeuse :

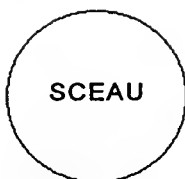
- ☐ *sommes périodiques* ☐ *de..... \$*
☐ *dont je ne connais pas le montant*

et qui sont ou seront payées le (Indiquez la fréquence des paiements. Inscrivez «Je ne sais pas» si vous ne connaissez pas la fréquence.)

- ☐ somme forfaitaire ☐ de \$
☐ ☐ dont je ne connais pas le montant

Description de la dette dont le tiers saisi est redevable au payeur ou à la payeuse :

- ☐ salaire, commissions et autre revenu d'emploi ☐ loyer
- ☐ sommes détenues dans une banque, une caisse populaire ou un autre établissement
- ☐ pension de retraite ☐ (Autre, Précisez.)



Numéro de dossier du greffe

(Nom du tribunal)

situé(e) au

Court office address

**Formule 29A : Avis
de saisie-arrêt
(somme forfaitaire)**

Bénéficiaire	Payeur ou payeuse
Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).
Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

À : (nom et prénom officiels et adresse du tiers saisi)

TOUTES LES RETENUES EFFECTUÉES AUX TERMES DU PRÉSENT AVIS DOIVENT ÊTRE PAYÉES
☐ au greffier du tribunal ☐ au directeur du Bureau des obligations familiales
au (adresse)

Le payeur ou la payeuse (nom) a omis d'effectuer des paiements prévus par une ordonnance du tribunal, un contrat familial ou un accord de paternité qui est exécutoire devant ce tribunal ou au moyen d'un bref de saisie-arrêt délivré à l'extérieur de l'Ontario et que reconnaît ce tribunal.

Le ou la bénéficiaire prétend que vous êtes ou serez redevable au payeur ou à la payeuse d'une dette sous forme d'une ou de plusieurs sommes forfaitaires. (Une dette envers le payeur ou la payeuse comprend à la fois une dette qui n'est payable qu'à lui ou à elle ou qui l'est également à une ou plusieurs autres personnes.)

VOUS DEVEZ DONC PAYER au greffier ou au directeur du Bureau des obligations familiales (tel qu'indiqué ci-dessus) :

- au plus tard 10 jours après que le présent avis vous est signifié, **TOUTES LES SOMMES QUE VOUS DEVEZ ACTUELLEMENT AU PAYEUR OU À LA PAYEUSE;**
- au plus tard 10 jours après qu'une nouvelle somme devient payable, **TOUTES LES SOMMES QUE VOUS DEVEZ ALORS AU PAYEUR OU À LA PAYEUSE.**

Le montant total de vos paiements ne doit pas dépasser. \$ (Indiquez le montant en espèces en additionnant les sommes figurant aux points 5, 6, 7 et 8 de l'état des sommes dues ou le montant moindre que le ou la bénéficiaire choisit de faire exécuter au moyen d'une saisie-arrêt.)

Si vous êtes redevable de la dette au payeur ou à la payeuse et à une ou plusieurs autres personnes, vous devez payer la moitié de la somme exigible actuellement ou qui le deviendra, ou la fraction que fixe le tribunal.

Le présent avis vous lie légalement jusqu'à ce qu'il soit modifié ou résilié.

(Cochez la case ci-dessous, s'il y a lieu.)

- ☐ Le présent avis de saisie-arrêt exécute les dispositions relatives aux aliments d'une ordonnance du tribunal, d'un contrat familial ou d'un accord de paternité. Aux termes du paragraphe 4 (1) de la loi sur le désintéressement des créanciers, **VOUS DEVEZ DONNER AU PRÉSENT AVIS DE SAISIE-ARRÊT LA PRIORITÉ SUR TOUT AUTRE AVIS DE CE GENRE**, quel que soit le moment où ces autres avis vous ont été signifiés. Pour obtenir des précisions sur l'étendue de cette priorité, communiquez avec votre avocat.

Le paiement que vous effectuez conformément au présent avis constitue, jusqu'à concurrence de la somme que vous versez, une quittance valable de la dette dont vous êtes redevable au payeur ou à la payeuse et, dans le cas d'une dette envers le payeur ou la payeuse et une ou plusieurs autres personnes, une quittance valable de cette dette.

Suite à la page suivante ➡

Formule 29A : Avis de saisie-arrêt (somme forfaitaire) (page 2) Numéro de dossier du greffe.

Si vous êtes redevable de la dette au payeur ou à la payeuse et à une ou plusieurs autres personnes, **VOUS DEVEZ IMMÉDIATEMENT ENVOYER PAR LA POSTE un avis aux cotitulaires de créances (formule 29C) aux personnes suivantes :**

- a) chacun des autres créanciers, à l'adresse figurant dans vos dossiers;
- b) le ou la bénéficiaire ou le directeur du Bureau des obligations familiales, selon celui des deux qui est chargé d'exécuter l'ordonnance;
- c) le greffier du tribunal.

Un exemplaire de la formule 29C devrait être joint au présent avis. S'il ne l'est pas, communiquez avec votre avocat ou le greffe.

Si vous avez des raisons de croire que vous ne devriez pas effectuer les paiements qu'exige le présent avis, vous avez le droit de signifier une contestation selon la formule 29F aux parties et de la déposer au greffe au plus tard 10 jours après que le présent avis vous est signifié. Vous pouvez consulter votre avocat à ce sujet. Un exemplaire de la formule 29F (*Contestation du tiers saisi*) devrait être joint au présent avis. S'il ne l'est pas, communiquez avec votre avocat ou le greffe. Vous pouvez effectuer la signification par n'importe laquelle des méthodes énoncées à la règle 6 des *Règles en matière de droit de la famille*, y compris par la poste, par messagerie et par télécopie. Si vous signifiez la formule 29F et que vous la déposez au greffe, le tribunal peut tenir une audience sur la saisie-arrêt afin de déterminer les droits des parties. Entretemps, la signification et le dépôt d'une contestation n'ont pas pour effet de suspendre le présent avis de saisie-arrêt.

Si vous êtes l'employeur du payeur ou de la payeuse :

- a) l'article 56.1 de la *Loi sur les normes d'emploi* de l'Ontario rend illégal de congédier ou de suspendre un employé ou de menacer de le faire pour le motif qu'un bref de saisie-arrêt a été délivré à son égard;
- b) l'article 7 de la *Loi sur les salaires* de l'Ontario dit que vous ne pouvez pas déduire plus de :
 - (i) 50 % du salaire (après les retenues que prévoit la loi) payable à votre employé pour l'exécution d'une ordonnance alimentaire,
 - (ii) 20 % du salaire (après les retenues que prévoit la loi) payable à votre employé pour l'exécution d'une ordonnance autre qu'une ordonnance alimentaire.
 Ces pourcentages ne peuvent être augmentés ou réduits que par ordonnance du tribunal. Si une copie d'une telle ordonnance est jointe au présent avis ou vous est signifiée à un moment donné, vous devez utiliser le pourcentage indiqué dans cette ordonnance;
- c) les *Règles en matière de droit de la famille* énoncent que vous **DEVEZ** donner au greffier du tribunal et à la personne qui a demandé la saisie-arrêt, au plus tard 10 jours après que le payeur ou la payeuse a cessé de travailler pour vous, un avis écrit indiquant ce qui suit :
 - (i) le fait que le payeur ou la payeuse ne travaille plus pour vous,
 - (ii) la date à laquelle le payeur ou la payeuse a cessé de travailler pour vous et celle de la dernière rémunération qu'il ou elle a reçue de vous.

SI VOUS N'OBSERVEZ PAS LE PRÉSENT AVIS, LE TRIBUNAL PEUT VOUS ORDONNER DE PAYER LE PLEIN MONTANT DE LA CRÉANCE AINSI QUE LES FRAIS ENGAGÉS PAR LE OU LA BÉNÉFICIAIRE.

SI VOUS FAITES UN PAIEMENT À QUELQU'UN D'AUTRE QUE LA PERSONNE INDIQUÉE PLUS HAUT, LE TRIBUNAL PEUT VOUS ORDONNER D'EFFECTUER UN AUTRE PAIEMENT, MAIS CETTE FOIS-CI, À LA PERSONNE MENTIONNÉE DANS LE PRÉSENT AVIS.

Signature du greffier

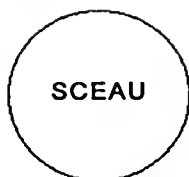
Date de la signature

AVIS AU PAYEUR OU À LA PAYEUSE : Vous avez le droit de signifier et de déposer une contestation selon la formule 29E au greffe au plus tard 10 jours après que le présent avis vous est signifié. Vous voudrez peut-être consulter un avocat à ce sujet. Un exemplaire de la formule 29E (*Contestation du payeur ou de la payeuse*) devrait avoir été joint au présent avis lorsqu'il vous a été signifié. S'il ne l'était pas, communiquez avec votre avocat ou le greffe immédiatement. Vous pouvez effectuer la signification par n'importe laquelle des méthodes énoncées à la règle 6 des *Règles en matière de droit de la famille*, y compris par la poste, par messagerie et par télécopie. Si vous signifiez la formule 29E et que vous la déposez au greffe, le tribunal peut tenir une audience sur la saisie-arrêt afin de déterminer les droits des parties.

Si le tiers saisi est votre employeur, les *Règles en matière de droit de la famille* énoncent que vous **DEVEZ**, au plus tard 10 jours après que vous cessez de travailler pour lui, donner au greffier du tribunal ainsi qu'au ou à la bénéficiaire ou au directeur du Bureau des obligations familiales (selon celui des deux qui est chargé d'exécuter l'ordonnance de saisie-arrêt), un avis écrit indiquant ce qui suit :

- a) le fait que vous ne travaillez plus pour le tiers saisi,
- b) la date à laquelle vous avez cessé de travailler pour le tiers saisi et celle de la dernière paie que vous avez reçue de lui.

Au plus tard 10 jours après que vous commencez un nouvel emploi ou que vous retournez à votre ancien, vous **DEVEZ** remettre un autre avis écrit dans lequel vous donnez les nom et adresse de votre nouvel employeur ou indiquez que vous avez repris votre ancien emploi.



(Nom du tribunal)
situé(e) au _____
Adresse du greffe

Numéro de dossier du greffe

.....
**Formule 29B : Avis
de saisie-arrêt
(somme périodique)**

Bénéficiaire	Payeur ou payeuse
Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).
Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

À : (nom et prénom officiels et adresse du tiers saisi)

TOUTES LES RETENUES EFFECTUÉES AUX TERMES DU PRÉSENT AVIS DOIVENT ÊTRE PAYÉES

☐ au greffier du tribunal ☐ au directeur du Bureau des obligations familiales
au (adresse)

Le payeur ou la payeuse (nom) a omis d'effectuer des paiements prévus par une ordonnance du tribunal, un contrat familial ou un accord de paternité qui est exécutoire devant ce tribunal ou au moyen d'un bref de saisie-arrêt délivré à l'extérieur de l'Ontario et que reconnaît ce tribunal. Le ou le bénéficiaire prétend que vous êtes ou serez redevable au payeur ou à la payeuse d'une dette sous forme de salaire, de prestations de retraite, de loyer, de rente ou autre que vous payez périodiquement ou par versements échelonnés. (Une dette envers le payeur ou la payeuse comprend à la fois une dette qui n'est payable qu'à lui ou à elle ou qui l'est également à une ou plusieurs autres personnes.)

Cochez le premier cercle si vous désirez que la saisie-arrêt porte sur une somme fixe. Si vous désirez qu'elle porte sur un pourcentage, cochez le deuxième cercle ci-dessous.

Insérez le somme et la fréquence qui figurent dans la partie de l'ordonnance, du contrat familial ou de l'accord de paternité réservée aux paiements périodiques.

Les «dettes cumulées» comprennent les ordonnances de paiement de sommes forfaitaires, les amendes, les sommes perdues, les arriérés de paiements périodiques, les frais de justice et les intérêts.

Cochez le deuxième cercle seulement si vous désirez que la saisie-arrêt porte sur un pourcentage.

À moins qu'une ordonnance du tribunal n'indique le contraire, vous ne pouvez retenir plus de 50 % du salaire du payeur ou de la payeuse pour percevoir des aliments ou plus de 20 % pour percevoir des sommes autres que des aliments. Le pourcentage n'est pas plafonné pour les retenues non salariales.

☐ PAR CONSÉQUENT, VOUS DEVEZ IMMÉDIATEMENT RETENIR DE TOUS LES PAIEMENTS DE CE GENRE QUE VOUS EFFECTUEZ :

- ☐ pour vous acquitter de l'obligation du payeur ou de la payeuse d'effectuer des paiements périodiques aux termes de l'ordonnance, du contrat familial ou de l'accord de paternité, LA SOMME DE \$ tous les (indiquez la fréquence) ou la somme équivalente selon le calendrier normal ou fixé des paiements que vous faites au payeur ou à la payeuse;
- ☐ pour réduire les dettes cumulées de \$ du payeur ou de la payeuse envers le ou la bénéficiaire aux termes de l'ordonnance, du contrat familial ou de l'accord de paternité, LA SOMME DE \$ tous les (indiquez la fréquence de paiement) ou la somme équivalente selon le calendrier normal ou fixé des paiements que vous faites au payeur ou à la payeuse.

☐ PAR CONSÉQUENT, VOUS DEVEZ IMMÉDIATEMENT RETENIR DE TOUS LES PAIEMENTS DE CE GENRE QUE VOUS EFFECTUEZ :

- ☐ % de tout salaire dont vous êtes actuellement redevable au payeur ou à la payeuse;
- ☐ % de toute dette (à l'exception du salaire) dont vous êtes actuellement redevable au débiteur ou à la débitrice par paiements périodiques ou par versements échelonnés.

Suite à la page suivante ➡

Formule 29B : Avis de saisie-arrêt (somme périodique) (page 2) Numéro de dossier du greffe.

ET VOUS DEVEZ VERSER CETTE RETENUE au greffier ou au directeur (tel qu'indiqué ci-dessus) au plus tard 10 jours après que le présent avis vous est signifié. Vous êtes redevable de la dette au payeur ou à la payeuse et à une ou plusieurs autres personnes, vous devez payer la moitié de la somme exigible actuellement ou qui le deviendra ou la fraction que fixe le tribunal.

LE PRÉSENT AVIS VOUS OBLIGE LÉGALEMENT À CONTINUER DE VERSER CES RETENUES AU PLUS TARD 10 jours après que vous devez effectuer chaque paiement au payeur ou à la payeuse, et ce jusqu'à ce qu'il soit modifié ou résilié.

(Cocher la case ci-dessous, s'il y a lieu.)

- ☐ Le présent avis de saisie-arrêt a pour but d'exécuter les dispositions relatives aux aliments d'une ordonnance du tribunal, d'un contrat familial ou d'un accord de paternité. Aux termes du paragraphe 4 (1) de la *Loi sur le désintéressement des créanciers*, **VOUS DEVEZ DONNER AU PRÉSENT AVIS DE SAISIE-ARRÊT LA PRIORITÉ SUR TOUT AUTRE AVIS DE CE GENRE**, quel que soit le moment où ces autres avis vous ont été signifiés. Pour obtenir des précisions sur l'étendue de cette priorité, communiquez avec votre avocat.

Le paiement que vous effectuez conformément au présent AVIS constitue, jusqu'à concurrence de la somme que vous versez, une quittance valable de la dette dont vous êtes redevable au payeur ou à la payeuse et, dans le cas d'une dette envers le payeur ou la payeuse et une ou plusieurs autres personnes, une quittance valable de cette dette.

Si vous êtes redevable de la dette au payeur ou à la payeuse et à une ou plusieurs autres personnes, **VOUS DEVEZ IMMÉDIATEMENT ENVOYER PAR LA POSTE un avis aux cotitulaires de créances (formule 29C) aux personnes suivantes :**

- a) chacun des autres créanciers, à l'adresse figurant dans vos dossiers;
- b) le ou la bénéficiaire ou le directeur du Bureau des obligations familiales, selon celui des deux qui est chargé d'exécuter l'ordonnance;
- c) le greffier du tribunal.

Un exemplaire de la formule 29C devrait être joint au présent avis. S'il ne l'est pas, communiquez avec votre avocat ou le greffe.

Si vous avez des raisons de croire que vous ne devriez pas effectuer les paiements qu'exige le présent avis, vous avez le droit de signifier une contestation selon la formule 29F et de la déposer au greffe au plus tard 10 jours après que le présent avis vous est signifié. Vous pouvez consulter votre avocat à ce sujet. Un exemplaire de la formule 29F (*Contestation du tiers saisi*) devrait être joint au présent avis. S'il ne l'est pas, communiquez avec votre avocat ou le greffe. Vous pouvez effectuer la signification par n'importe laquelle des méthodes énoncées à la règle 6 des *Règles en matière de droit de la famille*, y compris par la poste, par messagerie et par télécopie. Si vous signifiez la formule 29F et que vous la déposez au greffe, le tribunal peut tenir une audience sur la saisie-arrêt afin de déterminer les droits des parties. Entretemps, la signification et le dépôt d'une contestation n'ont pas pour effet de suspendre le présent avis de saisie-arrêt.

Si vous êtes l'employeur du payeur ou de la payeuse :

- a) l'article 56.1 de la *Loi sur les normes d'emploi* de l'Ontario rend illégal de congédier ou de suspendre un employé ou de menacer de le faire pour le motif qu'un bref de saisie-arrêt a été délivré à son égard;
- b) l'article 7 de la *Loi sur les salaires* de l'Ontario dit que vous ne pouvez pas déduire plus de:
 - (i) 50 % du salaire (après les retenues que prévoit la loi) payable à votre employé pour l'exécution d'une ordonnance alimentaire,
 - (ii) 20 % du salaire (après les retenues que prévoit la loi) payable à votre employé pour l'exécution d'une ordonnance autre qu'une ordonnance alimentaire.

Ces pourcentages ne peuvent être augmentés ou réduits que par ordonnance du tribunal. Si une copie d'une telle ordonnance est jointe au présent Avis ou vous est signifiée à un moment donné, vous devez utiliser le pourcentage indiqué dans cette ordonnance;

- c) les *Règles en matière de droit de la famille* énoncent que vous **DEVEZ** donner au greffier du tribunal et à la personne qui a demandé la saisie-arrêt, au plus tard 10 jours après que le payeur ou la payeuse a cessé de travailler pour vous, un avis écrit indiquant ce qui suit :
 - (i) le fait que le payeur ou la payeuse ne travaille plus pour vous,
 - (ii) la date à laquelle le payeur ou la payeuse a cessé de travailler pour vous et celle de la dernière rémunération qu'il ou elle a reçue de vous.

Formule 29B : Avis de saisie-arrêt (somme périodique) (page 3) Numéro de dossier du greffe.

SI VOUS N'OBSERVEZ PAS LE PRÉSENT AVIS, LE TRIBUNAL PEUT VOUS ORDONNER DE PAYER LE LEIN MONTANT DE LA CRÉANCE AINSI QUE LES FRAIS ENGAGÉS PAR LE OU LA BÉNÉFICIAIRE.

SI VOUS FAITES UN PAIEMENT À QUELQU'UN D'AUTRE QUE LA PERSONNE INDIQUÉE PLUS HAUT, LE TRIBUNAL PEUT VOUS ORDONNER D'EFFECTUER UN AUTRE PAIEMENT, MAIS CETTE FOIS-CI, À LA PERSONNE MENTIONNÉE DANS LE PRÉSENT AVIS.

Signature du greffier du tribunal

Date de la signature

AVIS AU PAYEUR OU À LA PAYEUSE : Vous avez le droit de signifier une contestation selon la formule 29E et de la déposer au greffe au plus tard 10 jours après que le préavis vous est signifié. Vous voudrez peut-être consulter un avocat à ce sujet. Un exemplaire de la formule 29E (*Contestation du payeur ou de la payeuse*) devrait avoir été joint au présent avis lorsqu'il vous a été signifié. S'il ne l'était pas, communiquez avec votre avocat ou le greffe immédiatement. Vous pouvez effectuer la signification par n'importe laquelle des méthodes énoncées à la règle 6 des *Règles en matière de droit de la famille*, y compris par la poste, par messagerie et par télécopie. Si vous signifiez la formule 29E et que vous la déposez au greffe, le tribunal peut tenir une audience sur la saisie-arrêt afin de déterminer les droits des parties.

Si le tiers saisi est votre employeur, les *Règles en matière de droit de la famille* énoncent que vous DEVEZ, au plus tard 10 jours après que vous cessez de travailler pour lui, donner au greffier du tribunal ainsi qu'au ou à la bénéficiaire ou au directeur du Bureau des obligations familiales (*selon celui des deux qui est chargé d'exécuter l'ordonnance de saisie-arrêt*), un avis écrit indiquant ce qui suit :

- a) le fait que vous ne travaillez plus pour le tiers saisi,
- b) la date à laquelle vous avez cessé de travailler pour le tiers saisi et celle de la dernière paie que vous avez reçue de lui.

Au plus tard 10 jours après que vous commencez un nouvel emploi ou que vous retournez à votre ancien, vous DEVEZ remettre un autre avis écrit dans lequel vous donnez les nom et adresse de votre nouvel employeur ou indiquez que vous avez repris votre ancien emploi.

Numéro de dossier du greffe

(Nom du tribunal)

**Formule 29C : Avis aux
cotitulaires de créances**situé(e) au _____
Adresse du greffe**Bénéficiaire(s)****Payeur ou payeuse**

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).
Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

À : (nom et prénom officiels et adresse du ou de la cotitulaire)

Le tribunal, à la suite d'une cause les opposant, a rendu une ordonnance exigeant que le payeur ou la payeuse verse une somme au ou à la bénéficiaire. Le ou la bénéficiaire ou la personne qui exécute cette ordonnance pour son compte nous a signifié, à moi-même ou à mon entreprise, un avis de saisie-arrêt visant une dette que moi-même ou mon entreprise sommes censé devoir à u payeur ou à la payeuse et lui payer. Aux termes de la loi, une dette envers le payeur ou la payeuse comprend à la fois une dette qui n'est payable qu'à lui ou à elle ou qui l'est également à une ou plusieurs autres personnes. Selon mes dossiers ou ceux de mon entreprise, vous êtes une de ces «autres personnes» titulaires d'une partie de la dette dont moi-même ou mon entreprise sommes redevables au payeur ou à la payeuse.

- ☐ Conformément à l'avis de saisie-arrêt, j'ai payé la moitié
☐ Conformément à une ordonnance du tribunal, j'ai payé. \$

de la dette dont moi-même ou mon entreprise vous sommes redevables conjointement, à vous-même et au payeur ou à la payeuse
 Cette somme est conservée pendant 30 jours par :

- ☐ le greffier du tribunal
☐ le directeur du Bureau des obligations familiales

au (adresse)

SI VOUS CROYEZ QUE MOI-MÊME OU MON ENTREPRISE AVONS PAYÉ DES SOMMES QUI VOUS APPARTIENNENT LÉGALEMENT, vous disposez de 30 jours, à compter du moment où le présent avis vous est signifié, pour signifier la formule 29G (*Contestation du ou de la cotitulaire de la créance*) et la déposer auprès du tribunal. Vous pouvez obtenir un exemplaire de cette formule auprès de votre avocat ou du greffe. Vos devez ensuite en signifier une copie dûment remplie aux personnes suivantes:

- a) moi-même ou mon entreprise, à l'adresse ci-dessous;
 b) le payeur ou la payeuse et le ou la bénéficiaire;
 c) le greffier du tribunal ou le directeur, selon celui qui conserve les sommes.

Vous pouvez effectuer la signification par n'importe laquelle des méthodes énoncées à la règle 6 des *Règles en matière de droit de la famille*, y compris par la poste, par messagerie et par télécopie. Une fois la formule signifiée, vous devez la déposer auprès du tribunal, avec une preuve de sa signification (formule 6B). Le tribunal peut alors tenir une audience sur la saisie-arrêt afin de déterminer vos droits.

SI VOUS N'AGISSEZ PAS DANS LES 30 JOURS, vous ne pourrez pas contester plus tard la saisie-arrêt, par le ou la bénéficiaire, de la dette dont moi-même ou mon entreprise sommes conjointement redevables à vous-même et au payeur ou à la payeuse

Signature de la personne qui prépare le présent avis
ou de son avocat(e)

Date de la signature

Dactylographiez ou écrivez en caractères d'imprimerie les nom, adresse aux fins de signification, numéros de téléphone et de télécopieur et adresse électronique de la personne ou de son avocat(e)

Numéro de dossier du greffe

(Nom du tribunal)

**Formule 29D : Déclaration
solennelle sur l'indexation
des aliments datée du**

situé(e) au _____
Adresse du greffe

Bénéficiaire(s)

<p><i>Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant)</i></p>	<p><i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>
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Payeur ou payeuse

<p><i>Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant)</i></p>	<p><i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>
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Tiers saisi

<p><i>Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>	<p><i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>
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Je m'appelle (nom et prénom officiels)

J'habite à (municipalité et province)

et je déclare que les renseignements suivants sont véridiques :

- Je suis ☐ un(e) bénéficiaire désigné(e) dans une ordonnance alimentaire ou dans les dispositions relatives aux aliments d'un contrat familial ou d'un accord de paternité.
☐ un(e) cessionnaire d'un(e) bénéficiaire désigné(e) dans une ordonnance alimentaire ou dans les dispositions relatives aux aliments d'un contrat familial ou d'un accord de paternité.
☐ un(e) mandataire du directeur du Bureau des obligations alimentaires.
☐ (Autre. Précisez.)
- Le (date), un avis de saisie-arêt a été délivré au tiers saisi dans le but d'exécuter une ordonnance alimentaire ou les dispositions relatives aux aliments d'un contrat familial ou d'un accord de paternité qui indexaient les paiements périodiques pour tenir compte de l'inflation.
- Le (date), le montant des aliments a été automatiquement rajusté en fonction de l'inflation comme l'indique l'ordonnance, le contrat ou l'accord.

Suite à la page suivante ➡

**Formule 29D : Déclaration solennelle sur l'indexation
des aliments (page 2)**

Numéro de dossier du greffe

4. Par suite de ce rajustement, le tiers saisi devrait maintenant effectuer les retenues suivantes : (indiquez le nouveau montant des retenues.)

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page.

Déclaré devant moi à
municipalité

à/en/au
province, État ou pays

le
date

Commissaire aux affidavits
(Dactylographiez le nom ou écrivez-le en caractères
d'imprimerie ci-dessous si la signature est illisible.)

Signature

(La présente formule doit être signée en
présence d'un avocat, d'un juge de paix,
d'un notaire ou d'un commissaire aux affida-
vits.)

REMARQUE : La présente déclaration doit être signifiée au tiers saisi et au payeur ou à la payeuse, accompagnée d'exemplaires de la formule de contestation. Elle doit ensuite être déposée auprès du greffier du tribunal. Vous pouvez effectuer la signification par n'importe laquelle des méthodes permises par la règle 6 des *Règles en matière de droit de la famille*, y compris par la poste, par messagerie et par télécopie. Le dépôt auprès du greffier du tribunal doit être accompagné d'une preuve de la signification (formule 6B).

AVIS AU TIERS SAISI : Dès que la présente déclaration vous est signifiée, vous devez considérer l'avis de saisie-arrêt comme s'il vous obligeait maintenant à effectuer les retenues mentionnées au point 4 de la présente déclaration. Le fait de ne pas le faire équivaut à ne pas observer l'avis de saisie-arrêt.

AVIS AU PAYEUR OU À LA PAYEUSE ET AU TIERS SAISI : Vous avez le droit de signifier une contestation selon la formule 29E (*Contestation du payeur ou de la payeuse*) ou la formule 29F (*Contestation du tiers saisi*) et de la déposer au greffe dans le 10 jours qui suivent celui où la présente déclaration vous est signifiée si vous avez des raisons d'ordre juridique de vous opposer à la modification de l'avis de saisie-arrêt. Peut-être voudrez-vous consulter un avocat à ce sujet. Un exemplaire de la formule de contestation devait accompagner la présente déclaration quand elle vous a été signifiée. S'il n'y était pas, communiquez avec votre avocat ou le greffe immédiatement. Si c'est ce que vous voulez faire, vous devez signifier votre contestation aux autres parties. Vous pouvez effectuer la signification par n'importe laquelle des méthodes permises par la règle 6 des *Règles en matière de droit de la famille*, y compris par la poste, par messagerie et par télécopie. Une fois la contestation signifiée, vous devez la déposer auprès du greffier du tribunal. Le dépôt doit être accompagné d'une preuve de la signification (formule 6B). Si vous signifiez et déposez votre contestation, le tribunal peut tenir une audience sur la saisie-arrêt afin de décider des droits des parties.

Numéro de dossier du greffe

(Nom du tribunal)

Formule 29E :
Contestation du payeur
ou de la payeuse

situé(e) au

Adresse du greffe

Bénéficiaire(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Payeur ou payeuse

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Tiers saisi

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Je m'appelle (nom et prénom officiels)

J'habite à (municipalité et province)

et je déclare sous serment/J'affirme solennellement que les renseignements suivants sont véridiques :

1. Je suis le payeur ou la payeuse dans cette cause de saisie-arrest.
2. Je conteste ☐ l'avis de saisie-arrest délivré le
☐ la déclaration solennelle sur l'indexation des aliments faite le
 (date) , pour la ou les raisons suivantes :
 (Indiquez la ou les raisons de votre contestation sous forme de paragraphes numérotés.)

Suite à la page suivante ➡

Formule 29E : Contestation du payeur ou de la payeuse
(page 2)

Numéro de dossier du greffe.....

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page.

Déclaré sous serment/Affirmé solennellement devant moi à
municipalité

à/en/au province, État ou pays

le date *Commissaire aux affidavits*
(Dactylographiez le nom ou écrivez-le en caractères
d'imprimerie ci-dessous; la signature est illisible)

Signature

(La présente formule doit être signée en présence d'un avocat, d'un juge de paix, d'un notaire ou d'un commissaire aux affidavits.)

AVIS AUX BÉNÉFICIAIRES : Veuillez examiner la présente contestation. Si vous n'êtes pas d'accord avec elle, vous pouvez demander une audience. Vous voudrez peut-être consulter votre avocat à ce sujet. Vous disposez de 10 jours, à compter de la signification du présent document, pour décider si vous voulez une audience. Si vous en désirez une, vous disposez, vous ou votre avocat, de 10 jours pour demander au greffier du tribunal, en personne ou par écrit, de vous envoyer par la poste, à vous-même, au payeur ou à la payeuse, au tiers saisi et au ou à la cotitulaire d'une créance conjointe (le cas échéant), un avis d'audience sur la saisie-arêt (formule 29H). À cette audience, le juge vous donnera, ainsi qu'aux autres parties, l'occasion d'être entendue(s) et peut rendre une ordonnance qui risque d'avoir une incidence sur les droits de toutes les parties.

Numéro de dossier du greffe

(Nom du tribunal)

.....
Formule 29F :
Contestation du tiers saisi

situé(e) au

Adresse du greffe

Bénéficiaire(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Payeur ou payeuse

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Tiers saisi

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

1 Je suis le tiers saisi dans cette cause de saisie-arrêt.

2. La loi ne m'oblige pas à payer : ☐ les sommes figurant dans l'avis de saisie-arrêt délivré le
☐ les nouvelles sommes figurant dans la déclaration solennelle sur l'indexation des aliments faite le

(date), pour la ou les raisons suivantes :

- ☐ Je ne dois rien au payeur ou à la payeuse et je ne m'attends pas à lui devoir quoi que ce soit parce que :
- ☐ le payeur ou la payeuse n'a jamais travaillé pour moi.
- ☐ le payeur ou la payeuse a cessé de travailler pour moi le (date)
- ☐ je devais de l'argent au payeur ou à la payeuse et le lui ai payé au complet le (date)
- ☐ je ne détiens aucune somme en fiducie pour le payeur ou la payeuse ou à son crédit.
- ☐ (Autre. Précisez.)

Suite à la page suivante ➡

Formule 29F : Contestation du tiers saisi (page 2)

Numéro de dossier du greffe.

- ☐ Je dois ou devrai de l'argent au payeur ou à la payeuse, mais cet argent ne peut être saisi par voie de saisie-arrêt parce que : *(Indiquez les raisons de cette exemption à la loi.)*
- ☐ *(Autres raisons. Précisez.)*

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page.

Signature du tiers saisi

Date de la signature

AVIS AUX BÉNÉFICIAIRES : Veuillez examiner la présente contestation. Si vous n'êtes pas d'accord avec elle, vous pouvez demander une audience. Vous voudrez peut-être consulter votre avocat à ce sujet. Vous disposez de 10 jours, à compter de la signification du présent document, pour décider si vous voulez une audience. Si vous en désirez une, vous disposez, vous ou votre avocat, de 10 jours pour demander au greffier du tribunal, en personne ou par écrit, de vous envoyer par la poste, à vous-même, au payeur ou à la payeuse, au tiers saisi et au ou à la cotitulaire d'une créance conjointe (le cas échéant), un avis d'audience sur la saisie-arrêt (formule 29H). À cette audience, le juge vous donnera, ainsi qu'aux autres parties, l'occasion d'être entendu(e) et peut rendre une ordonnance qui risque d'avoir une incidence sur les droits de toutes les parties.

Numéro de dossier du greffe

(Nom du tribunal)

Formule 29G :
Contestation du ou
de la cotitulaire
de la créance

situé(e) au

Adresse du greffe

Bénéficiaire(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Payeur ou payeuse

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Tiers saisi

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

1. Ja suis cotitulaire de la dette dont le tiers saisi dans cette cause de saisie-arrêt est censé être redevable au payeur ou à la payeuse.
2. Ja réclame une somme que le tiers saisi a versée et qui est conservée temporairement au profit du ou de la bénéficiaire de la façon suivante : (Sous forme de paragraphes numérotés, indiquez la somme que vous réclamez ainsi que le fondement juridique de votre réclamation.)

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page.

Suite à la page suivante ➡

**Formule 29G : Contestation du ou de la cotitulaire
de la créance (page 2)**

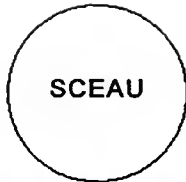
Numéro de dossier du greffe.....

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page.

Signature du ou de la cotitulaire de la créance

Date de la signature

AVIS AUX BÉNÉFICIAIRES : Veuillez examiner la présente contestation. Si vous n'êtes pas d'accord avec elle, vous pouvez demander une audience. Vous voudrez peut-être consulter votre avocat à ce sujet. Vous disposez de 10 jours, à compter de la signification du présent document, pour décider si vous voulez une audience. Si vous en désirez une, vous disposez, vous ou votre avocat, de 10 jours pour demander au greffier du tribunal, en personne ou par écrit, de vous envoyer par la poste, à vous-même, au payeur ou à la payeuse, au tiers saisi et au ou à la cotitulaire d'une créance conjointe (le cas échéant), un avis d'audience sur la saisie-arrêt (formule 29H). À cette audience, le juge vous donnera, ainsi qu'aux autres parties, l'occasion d'être entendu(e) et peut rendre une ordonnance qui risque d'avoir une incidence sur les droits de toutes les parties.



(Nom du tribunal)
Numéro de dossier du greffe
situé(e) au _____
Adresse du greffe
Formule 29H : Avis
d'audience sur la
saisie-arrêt

Bénéficiaire(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).
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Payeur ou payeuse

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).
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Tiers saisi

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).
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À TOUTES LES PARTIES :

LE TRIBUNAL TIENDRA UNE AUDIENCE le (date) à (heure)
ou dès que possible par la suite, au (lieu de l'audience)

pour la ou les raisons suivantes : (Cochez la ou les cases appropriées.)

☐ une contestation a été déposée par ☐ le payeur ou la payeuse ☐ le tiers saisi ☐ le ou la cotitulaire d'une créance

☐ il est prétendu que le tiers saisi n'a rien payé

☐ il est prétendu que le tiers saisi a payé moins que ce qu'il devait

et le greffier du tribunal a reçu une demande d'audience sur la saisie-arrêt.

SI VOUS NE VOUS PRÉSENTEZ PAS AU TRIBUNAL, UNE ORDONNANCE PEUT ÊTRE RENDUE SANS VOUS ET ÊTRE EXÉCUTÉE CONTRE VOUS.

Signature du greffier du tribunal

Date de la signature

REMARQUE : Si une contestation a été signifiée et déposée, une photocopie de celle-ci devrait être jointe au présent avis. Si elle ne l'est pas, communiquez avec le greffe immédiatement.

Numéro de dossier du greffe

(Nom du tribunal)

.....
**Formule 291 : Avis de
suspension de la
saisie-arrêt**

situé(e) au

Adresse du greffe

Bénéficiaire(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Payeur ou payeuse

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Tiers saisi

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

À : (nom du tiers saisi)

ET AU : ☐ GREFFIER DU TRIBUNAL : ☐ SHÉRIF DE (localité)

Je m'appelle : (nom et prénom officiels)

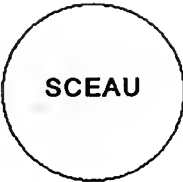
- Je suis ☐ la personne qui a demandé la saisie-arrêt dans cette cause.
☐ l'avocat(e) de la personne qui a demandé la saisie-arrêt dans cette cause.
☐ la personne qui a poursuivi cette saisie-arrêt aux termes d'un transfert d'exécution.
☐ l'avocat(e) de la personne qui a poursuivi cette saisie-arrêt aux termes d'un transfert d'exécution.
☐ un(e) mandataire du directeur du Bureau des obligations familiales.
☐ (Autre. Précisez.)

L'avis de saisie-arrêt que le greffier du tribunal a délivré le (date)
est retiré aujourd'hui.

PAR CONSÉQUENT ILVOUS EST ORDONNÉ DE CESSER TOUT AUTRE PAIEMENT PRÉVU AUX TERMES DE LA SAISIE-ARRÊT.

Signature de la personne qui retire la saisie-arrêt

Date de la signature



(Nom du tribunal)

Numéro de dossier du greffe

situé(e) au

Adresse du greffe

Formule 30: Avis
d'audience
sur le défaut

Bénéficiaire(s)

<i>Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i>	<i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i>

Payeur ou payeuse

<i>Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i>	<i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i>

À : (nom du payeur ou de la payeuse)

VOUS DEVEZ VOUS PRÉSENTER AU TRIBUNAL le (date) à (heure).....
ou dès que le tribunal peut entendre cette affaire, au (lieu de l'audience)

Le ou la bénéficiaire ou son représentant prétend que vous n'avez pas effectué certains paiements d'aliments prévus par une ordonnance, un contrat familial ou un accord de paternité. Vous trouverez des précisions au sujet de la demande qui est présentée contre vous dans la copie ci-jointe de l'état des sommes dues. Si elle n'est pas jointe, communiquez avec le greffe immédiatement. Il est demandé au tribunal de tenir une audience sur le défaut en vertu de l'article 41 de la *Loi sur les obligations familiales et l'exécution des arriérés d'aliments*. À cette audience, vous devrez expliquer non seulement les paiements en défaut mentionnés dans l'état des sommes dues, mais aussi ceux en défaut jusqu'à la date où le tribunal tient son audience.

VOUS DEVEZ REMPLIR les exemplaires ci-joints des formules d'état financier (formule 13) et de contestation du défaut (formule 30B), en signifier une copie à l'avocat du ou de la bénéficiaire, ou à la personne si elle n'a pas d'avocat, ou au directeur du Bureau des obligations familiales, et les déposer ensuite au greffe, accompagnés d'une preuve de leur signification (formule 6B), et ce dans les 10 jours qui suivent celui où le présent avis vous est signifié. Vous pouvez effectuer la signification par n'importe laquelle des méthodes permises par la règle 6 des *Règles en matière de droit de la famille*, y compris par la poste, par messagerie ou par télécopie. Si les exemplaires ne sont pas joints, communiquez avec le greffe immédiatement.

SI VOUS NE REMPLISSEZ PAS NI NE SIGNIFIEZ L'ÉTAT FINANCIER OU SI VOUS NE VOUS PRÉSENTEZ PAS AU TRIBUNAL COMME L'EXIGE LE PRÉSENT AVIS, UN MANDAT D'ARRÊT PEUT ÊTRE DÉCERNÉ POUR VOUS AMENER DEVANT LE TRIBUNAL.

Vous devriez apporter à l'audience les documents (comme les chèques payés) dont vous avez besoin pour prouver que vous avez bien effectué les paiements. Vous pouvez vous faire accompagner par votre avocat.

À L'AUDIENCE, LE TRIBUNAL PEUT RENDRE UNE ORDONNANCE CONTRE VOUS, Y COMPRIS UNE ORDONNANCE D'EMPRISONNEMENT POUR UNE PÉRIODE ALLANT JUSQU'À 90 JOURS. VOUS POUVEZ ÉGALEMENT ÊTRE CONDAMNÉ(E) AUX DÉPENS.

SI VOUS ACQUITTEZ LE MONTANT DES PAIEMENTS EN DÉFAUT AU PLUS TARD LE JOUR DE L'AUDIENCE, IL SE PEUT QUAND MÊME QUE VOUS DEVIEZ VOUS PRÉSENTER AU TRIBUNAL ET PAYER LES DÉPENS.

Signature du greffier du tribunal

Date de la signature

Numéro de dossier du greffe

(Nom du tribunal)

**Formule 30A : Demande
d'audience sur le défaut**

situé(e) au

Adresse du greffe

Bénéficiaire(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Payeur ou payeuse

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

AU GREFFIER DU TRIBUNAL :

1. Je suis ☐ la personne qui a signé l'état des sommes dues ci-joint.
☐ l'avocat(e) de la personne qui a signé l'état des sommes dues ci-joint.
☐ (Autre. Précisez.)
2. Le payeur ou la payeuse n'a pas effectué des paiements d'aliments s'élevant à \$, comme le précise l'état des sommes dues ci-joint.
3. Je demande la délivrance d'un avis d'audience sur le défaut exigeant que le payeur ou la payeuse se présente au tribunal pour expliquer pourquoi il ou elle n'a pas effectué les paiements lors d'une audience tenue en vertu de l'article 41 de la Loi sur les obligations familiales et l'exécution des arriérés d'aliments.

Signature

Date de la signature

REMARQUE : Vous devez préparer un nouvel état des sommes dues (préparé au cours des 30 derniers jours) et le joindre à la présente demande lorsque vous la déposez auprès du greffier du tribunal. Ensuite, dans la semaine précédant l'audience sur le défaut, vous devez déposer un état des sommes dues à jour.

Numéro de dossier du greffe

(Nom du tribunal)

.....
**Formule 30B :
Contestation du défaut**

situé(e) au
Adresse du greffe

Bénéficiaire(s)

<i>Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i>	<i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i>

Payeur ou payeuse

<i>Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i>	<i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i>

Je m'appelle (nom et prénom officiels)

J'habite à (municipalité et province)

et je déclare sous serment/J'affirme solennellement que les renseignements suivants sont véridiques :

1. Je suis la personne désignée comme payeur ou payeuse dans cette cause.

(Cochez le ou les cases appropriées et écrivez vos raisons dans l'espace réservé à cette fin. Biffez les points qui ne s'appliquent pas à vous et apposez vos initiales.)

☐ 2. Je n'ai omis d'effectuer aucun paiement d'aliments contrairement à ce que laisse entendre l'état des sommes dues parce que : (Indiquez les raisons.)

☐ 3. Je ne dois pas la somme indiquée dans l'état des sommes dues, mais plutôt la somme de. \$. La différence s'explique comme suit :
(Expliquez la différence s'il y en a une et si vous savez pourquoi. Si vous avez payé la somme que vous prétendez devoir ici, biffez les points 4 et 5, sinon passez au point 5 et donnez les raisons pour lesquelles vous n'avez pas payé la somme.)

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page.

Suite à la page suivante ➡

Formule 30B : Contestation du défaut (page 2)

Numéro de dossier du greffe.

☐ 4. Je dois la somme indiquée dans l'état des sommes dues. (Passez au point 5 ci-dessous et donnez les raisons pour lesquelles vous n'avez pas payé la somme.)

☐ 5. Les raisons pour lesquelles je n'ai pas payé la somme que je dois sont les suivantes : (Indiquez les raisons.)

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page.

Déclaré sous serment/Affirmé solennellement devant moi

municipalité

à/en/au
province, État ou pays

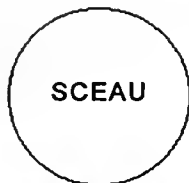
le.
date

Commissaire aux affidavits

(Dactylographiez le nom ou écrivez-le en caractères
d'imprimerie ci-dessous si la signature est illisible.)

Signature

(La présente formule doit être signée en présence d'un avocat, d'un juge de paix, d'un notaire ou d'un commissaire aux affidavits.)



_____ Numéro de dossier du greffe
 (Nom du tribunal)

 situé(e) au _____
 Adresse du greffe

.....
**Formule 31 : Avis de
 motion pour outrage**

Requérant(e)s/Bénéficiaire(s) (Biffez le terme qui ne s'applique pas)

<p><i>Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>	<p><i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>
---	--

Intimé(e)/Payeur ou payeuse (Biffez le terme qui ne s'applique pas)

<p><i>Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>	<p><i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>
---	--

À : (nom de la personne contre qui la motion pour outrage est présentée)

La personne qui présente cette motion ou son avocat doit communiquer avec le greffier du tribunal par téléphone ou par un autre moyen pour fixer les date et heure auxquelles le tribunal pourrait entendre la motion. **VOUS DEVEZ VOUS PRÉSENTER AU TRIBUNAL** situé au : (lieu de l'audience)

le (date)

à (heure). et y rester jusqu'à ce que le tribunal ait statué sur la cause.

Une motion sera présentée par (nom de la partie)

afin de vous déclarer coupable d'outrage au tribunal parce que : (Expliquez brièvement la nature de l'outrage.)

Les preuves contre vous sont énoncées dans l'affidavit ou les affidavits ci-joints. S'ils ne sont pas joints, communiquez avec le greffe immédiatement.

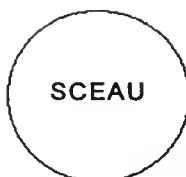
S'IL VOUS DÉCLARE COUPABLE D'OUTRAGE, LE TRIBUNAL PEUT RENDRE CONTRE VOUS UNE ORDONNANCE D'EMPRISONNEMENT, DE PAIEMENT D'UNE AMENDE OU DE SAISIE TEMPORAIRE DE VOS BIENS. VOUS POUVEZ ÉGALEMENT ÊTRE CONDAMNÉ(E) AUX DÉPENS.

SI VOUS NE VOUS PRÉSENTEZ PAS AU TRIBUNAL, UN MANDAT D'ARRÊT PEUT ÊTRE DÉCERNÉ CONTRE VOUS POUR VOUS AMENER DEVANT LE TRIBUNAL.

Signature de la personne qui présente la motion ou de son avocat(e)

Date de la signature

Dactylographiez ou écrivez en caractères d'imprimerie les nom, adresse aux fins de signification, numéros de téléphone et de télécopieur et adresse électronique de la personne ou de son avocat(e)



Numéro de dossier du greffe

(Nécessaire Numéro de dossier du greffe)

.....

Formule 32 :
Cautionnement
(engagement)

situé(e) au _____
Adresse du greffe

Requérant(e)(s)/Bénéficiaire(s) (Biffez le terme qui ne s'applique pas)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant)	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant)

Intimé(e)/Payeur ou payeuse (Biffez le terme qui ne s'applique pas)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant)	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant)

AU TRIBUNAL :

Je m'appelle (nom et prénom officiels)

J'habite à (municipalité et province)

JE RECONNAIS QUE JE DOIS

la somme de \$,

- ☐ à Sa Majesté la Reine
- ☐ à (nom de la personne qui peut légalement recouvrer la somme auprès de moi)
- ☐ qui sera immédiatement déposée au complet auprès du greffier du tribunal par moi-même ou par une ou plusieurs de mes cautions et qui sera confisquée
- ☐ qui, avec la permission du tribunal, n'a pas besoin d'être déposée auprès du greffier du tribunal, mais qui peut être recouvrée auprès de moi et d'une ou de plusieurs de mes cautions de la même façon qu'une ordonnance de paiement d'une somme peut être exécutée par ce tribunal

si je ne respecte pas une ou plusieurs des conditions suivantes :

(Énumérez les conditions sous forme de paragraphes numérotés. Indiquez la durée de chaque condition au moyen des mots «...jusqu'au [date d'expiration]» ou d'une expression semblable chaque fois que le juge a fixé une date d'expiration.)

Suite à la page suivante ➡

Numéro de dossier du greffe.....

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur le présente page.

Signature de la personne visée par le cautionnement (l'engagement)

Numéro de dossier du greffe

(Nom du tribunal)

**Formule 32A : Avis de
motion en confiscation**situé(e) au _____
Adresse du greffe**Requérant(e)s/Bénéficiaire(s)** (Biffez le terme qui ne s'applique pas)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Intimé(e)/Payeur ou payeuse (Biffez le terme qui ne s'applique pas)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

À : (nom de la personne qui a consenti l'engagement ou fourni le cautionnement)

ET À : (nom de la ou des cautions)

La personne qui présente cette motion ou son avocat doit communiquer avec le greffier par téléphone ou par un autre moyen pour fixer les date et heure auxquelles le tribunal pourrait entendre la motion.

LE TRIBUNAL ENTENDRA UNE MOTION LE (date)
à (heure), ou dès que possible par la suite, au : (lieu de l'audience)

La motion est présentée par (nom de la partie)

qui demandera au tribunal de rendre une ordonnance de confiscation à l'égard

☐ d'un engagement consenti ☐ d'un cautionnement fourni

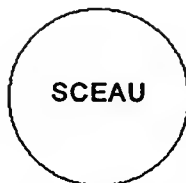
par (nom de la personne qui a consenti l'engagement ou fourni le cautionnement)

le (date) Une copie du cautionnement ou de l'engagement devrait être jointe au présent avis. Les motifs de la motion sont précisés dans l'affidavit ou les affidavits qui accompagnent le présent avis. Si le ou les documents ne sont pas joints, communiquez avec le greffe immédiatement.

SI VOUS NE VOUS PRÉSENTEZ PAS AU TRIBUNAL POUR LA PRÉSENTE MOTION, UNE ORDONNANCE DE CONFISCATION PEUT ÊTRE RENDUE SANS VOUS ET ÊTRE EXÉCUTÉE CONTRE VOUS.Signature de la personne qui présente la motion
ou de son avocat(e)

Date de la signature

Dactylographiez ou écrivez en caractères d'imprimerie les nom, adresse aux fins de signification, numéros de téléphone et de télécopieur et adresse électronique de la personne ou de son avocat(e)



(Nom du tribunal)

Numéro de dossier du greffe

situé(e) au _____
Adresse du greffe

.....
**Formule 32B :
Mandat d'arrêt**

À TOUS LES AGENTS DE LA PAIX DE LA PROVINCE DE L'ONTARIO :

JE VOUS ORDONNE D'ARRÊTER (nom de la personne)

pour le motif que cette personne est :

- ☐ un payeur ou une payeuse qui n'a pas déposé l'état financier demandé par le directeur du Bureau des obligations familiales.
Voir le paragraphe 40 (4) de la Loi sur les obligations familiales et l'exécution des arriérés d'aliments.
- ☐ un payeur ou une payeuse qui n'a pas déposé l'état financier exigé par un Avis d'audience sur le défaut.
Voir le paragraphe 41 (6) de la Loi sur les obligations familiales et l'exécution des arriérés d'aliments.
- ☐ un payeur ou une payeuse qui ne s'est pas présenté(e) au tribunal pour expliquer un défaut de paiement dans le cas d'une ordonnance alimentaire, d'un contrat familial ou d'un accord de paternité qui est exécutoire devant ce tribunal, contrairement à un Avis d'audience sur le défaut.
Voir le paragraphe 41 (6) de la Loi sur les obligations familiales et l'exécution des arriérés d'aliments.
- ☐ un payeur ou une payeuse qui est sur le point de quitter l'Ontario dans le but de se soustraire aux obligations que lui impose une ordonnance alimentaire, un contrat familial ou un accord de paternité qui est exécutoire devant ce tribunal.
Voir le paragraphe 49 (1) de la Loi sur les obligations familiales et l'exécution des arriérés d'aliments.
- ☐ un(e) intimé(e) dans une requête en aliments qui est sur le point de quitter l'Ontario dans le but de se soustraire aux obligations que lui impose la Loi sur le droit de la famille.
Voir le paragraphe 43 (1) de la Loi sur le droit de la famille.
- ☐ un(e) intimé(e) dans une requête visant à faire intégrer un accord de paternité dans une ordonnance du tribunal et qui est sur le point de quitter l'Ontario dans le but de se soustraire aux obligations que lui impose l'accord.
Voir le paragraphe 59 (2) de la Loi sur le droit de la famille.
- ☐ un témoin dont la présence est nécessaire pour trancher une question en litige dans une instance, à qui a été signifiée une *Assignment de témoin* et qui ne s'est pas présenté ou n'est pas resté comme l'exigeait l'assignation.
Voir les paragraphes 20 (9), 23 (7) et 27 (19) des Règles en matière de droit de la famille.
- ☐ une personne qui ne s'est pas présentée à une instance qui pourrait donner lieu à une ordonnance lui enjoignant de consentir un *Engagement* ou de fournir un *Cautionnement*.
Voir le paragraphe 32 (1) des Règles en matière de droit de la famille.
- ☐ une personne qui n'a pas consenti un *Engagement* ou fourni un *Cautionnement* comme l'exige une ordonnance de ce tribunal.
Voir le paragraphe 32 (1) des Règles en matière de droit de la famille.
- ☐ une personne contre laquelle une motion pour outrage au tribunal est présentée, dont la présence à l'audition de la motion est nécessaire dans l'intérêt de la justice et qui ne semble pas susceptible de se présenter de son plein gré.
Voir le paragraphe 31 (4) des Règles en matière de droit de la famille.
- ☐ (Autre. Précisez les motifs et les textes législatifs ou réglementaires à l'appui du présent mandat.)

Formule 32B : Mandat d'arrêt (page 2)

Numéro de dossier du greffe.

ET JE VOUS ORDONNE EN OUTRE d'amener immédiatement cette personne devant le tribunal de la municipalité où elle se trouve pour qu'il soit statué sur son cas conformément à la loi et, si le tribunal ne siège pas, de l'amener devant un juge de paix dès que possible pour qu'il soit statué sur son cas conformément à la loi.

Signature du ou de la juge

Date de délivrance

*Écrivez le nom du juge en caractères
d'imprimerie ou dactylographiez-le*

Date d'expiration du présent mandat

Inscrivez tous les renseignements connus

Nom et prénom officiels de la personne à arrêter				Date de naissance (j,m,a)		Sexe
Noms d'emprunt ou sobriquets						
Adresse résidentielle				Numéro de téléphone		
Adresse au travail				Numéro de téléphone		
Taille	Poids	Couleur des cheveux	Coiffure	Couleur des yeux	Teint	
Numéro de permis de conduire			Automobile (marque, modèle et année)			
Numéro de plaque d'immatriculation et province			Numéro d'assurance sociale			
Clubs, associations ou syndicats						
Date et occasion les plus récentes auxquelles l'adresse résidentielle a été confirmée par voie de signification à personne						
Nom et adresse de la personne à contacter pour de plus amples renseignements				Numéro de téléphone		

(Nom du tribunal) situé(e) au Adresse du greffe	MANDAT D'ARRÊT
---	-----------------------

J'ai informé la personne que je viens d'arrêter de son droit de communiquer avec un avocat.
Date de l'arrestation
Signature de l'agent(e) chargé(e) de l'arrestation
Nom de l'agent(e) en caractères d'imprimerie
(Dans l'espace ci-dessous, indiquez l'adresse et le numéro de téléphone où l'agent(e) peut être contacté(e).)

Numéro de dossier du greffe

(Nom du tribunal)

Formule 32C : Affidavit
pour un mandat
d'incarcération,

situé(e) au

Adresse du greffe

daté du

Requérant(e)s/Bénéficiaire(s) (Biffez le terme qui ne s'applique pas)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).
---	--

Intimé(e)/Payeur ou payeuse (Biffez le terme qui ne s'applique pas)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).
---	--

Je m'appelle (nom et prénom officiel)

J'habite à (municipalité et province)

et je déclare sous serment/j'affirme solennellement que les renseignements suivants sont véridiques :

1. Je suis ☐ un(e) bénéficiaire désigné(e) dans une ordonnance de paiement.
☐ un(e) cessionnaire d'un(e) bénéficiaire désigné(e) par une ordonnance de paiement.
☐ un(e) mandataire du directeur du Bureau des obligations familiales.
☐ (Autre. Précisez.)
2. Je suis la personne qui a ☐ demandé au payeur ou à la payeuse de déposer un état financier.
☐ demandé au payeur ou à la payeuse de se présenter à un interrogatoire sur sa situation financière.
☐ commencé une audience sur le défaut contre le payeur ou la payeuse.
☐ présenté une motion pour outrage.
☐ (Autre. Précisez.)
3. Je présente cette motion pour demander au tribunal de décerner un mandat d'incarcération.
4. Le (date) _____, le tribunal a rendu une ordonnance d'emprisonnement, dont une photocopie est jointe au présent affidavit, condamnant :
 - ☐ le payeur ou la payeuse à une peine d'emprisonnement pour ne pas avoir observé l'ordonnance de dépôt d'un état financier rendue par le tribunal;
 - ☐ le payeur ou la payeuse à une peine d'emprisonnement pour ne pas avoir observé l'ordonnance rendue ou la directive donnée par le tribunal au sujet d'un interrogatoire sur la situation financière;
 - ☐ le payeur ou la payeuse à une peine d'emprisonnement pour avoir omis d'effectuer des paiements d'aliments;
 - ☐ (nom) _____ à une peine d'emprisonnement pour outrage au tribunal;
 - ☐ (Autre. Précisez.)

Suite à la page suivante ➔

Formule 32C : Affidavit pour un mandat d'incarcération (page 2) Numéro de dossier du greffe.

pour une période de jours, mais la peine a été suspendue à certaines conditions énoncées dans l'ordonnance d'emprisonnement.

5. L'intimé(e)/le payeur ou la payeuse :

- ☐ était présent(e) au tribunal, ou y était représenté(e) par son avocat ou mandataire, lorsque cette ordonnance d'emprisonnement conditionnel a été rendue.
- ☐ n'était pas présent(e) au tribunal, ni y était représenté(e) par son avocat ou mandataire, lorsque l'ordonnance d'emprisonnement conditionnel a été rendue, mais celle-ci lui a été signifiée le (date)

6. Les conditions qui n'ont pas été respectées et les circonstances du manquement sont les suivantes : (*Énoncez les conditions de la peine d'emprisonnement suspendue qui n'ont pas été respectées et donnez des précisions sur le manquement.*)

- ☐ La somme de \$ était exigible le (date) mais aucun paiement n'avait été effectué à cette date.
- ☐ La somme de \$ était exigible le (date) mais seul un paiement partiel de \$ avait été effectué à cette date.
- ☐ (*Autre. Précisez.*)

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page.

Déclaré sous serment/Affirmé solennellement devant moi é
municipalité

à/en/au
province, État ou pays

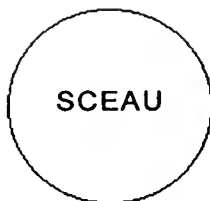
le
date

Commissaire aux affidavits
(Dactylographiez le nom ou écrivez-le en caractères d'imprimerie
ci-dessous si la signature est illisible.)

Signature

(La présente formule doit être signée en présence d'un avocat, d'un juge de paix, d'un notaire ou d'un commissaire aux affidavits.)

Avis à la partie qui présente la motion : Vous devez joindre au présent affidavit une photocopie de l'ordonnance d'emprisonnement conditionnel rendue par le tribunal.



Numéro de dossier du greffe _____

 (Nom du tribunal)

 Formule 32D :
 Mandat d'incarcération

 (Adresse du greffe)

À TOUS LES SHÉRIFS ET AUTRES AGENTS DE LA PAIX DE LA PROVINCE DE L'ONTARIO

ET À TOUS LES AGENTS DE : (nom et adresse de l'établissement correctionnel)

LE PRÉSENT MANDAT D'INCARCÉRATION VISE (nom et prénom officiels de la personne à emprisonner)

CE TRIBUNAL A CONCLU QUE cette personne :

- ☐ n'a pas observé l'ordonnance de dépôt d'un état financier rendue par le tribunal;
- ☐ n'a pas observé l'ordonnance rendue ou la directive donnée par le tribunal au sujet d'un interrogatoire sur la situation financière;
- ☐ a omis, sans raison valable, d'effectuer les paiements d'aliments qu'exigeait une ordonnance, un contrat familial ou un accord de paternité;
- ☐ a commis un outrage au tribunal;
- ☐ (Autre. Précisez.)

LE TRIBUNAL A CONDAMNÉ CETTE PERSONNE à une peine d'emprisonnement de jours qu'elle doit purger :

- ☐ de façon continue
- ☐ de façon intermittente le ou les (Précisez)

- et : ☐ en même temps que toute autre peine d'emprisonnement qu'elle purge actuellement ou qu'elle est sur le point de purger.
- ☐ (Indiquez tout autre arrangement pris au sujet des autres conditions d'emprisonnement.)

Cochez la ou les cases qui s'appliquent, selon le cas, sinon biffez-les et apposez vos initiales.

☐ ET LE TRIBUNAL A DEMANDÉ QUE l'ordonnance d'emprisonnement soit suspendue à une ou plusieurs conditions. Il a constaté par la suite que la personne a violé une ou plusieurs des conditions et, en conséquence, il a ordonné que la suspension soit retirée de l'ordonnance d'emprisonnement.

☐ ET LE TRIBUNAL A ORDONNÉ QUE la personne soit libérée immédiatement sur réception de la somme de . . . \$ par les agents de l'établissement correctionnel ou de l'autre établissement de garde en milieu fermé.

JE VOUS ORDONNE EN CONSÉQUENCE D'AMENER LA PERSONNE EN TOUTE SÉCURITÉ À L'ÉTABLISSEMENT CORRECTIONNEL OU AUTRE ÉTABLISSEMENT DE GARDE EN MILIEU FERMÉ INDiqué CI-DESSUS ET DE LA CONFIER AUX AGENTS DE CET ÉTABLISSEMENT, ACCOMPAGNÉE DU PRÉSENT MANDAT.

ET J'ORDONNE, AUX AGENTS DE L'ÉTABLISSEMENT D'INCARCÉRER LA PERSONNE DANS VOTRE ÉTABLISSEMENT ET DE L'Y DÉTENIR JUSQU'À L'EXPIRATION DU MANDAT.

Le présent mandat expire :

- a) soit lorsque la personne a purgé la peine d'emprisonnement prescrite, sous réserve de l'article 28 (réduction de peine) de la Loi sur le ministère des Services correctionnels;
 - b) soit lorsque les agents de l'établissement correctionnel ou autre établissement de garde en milieu fermé reçoivent la somme indiquée ci-dessus;
 - c) soit sur autre ordonnance de ce tribunal,
- selon la première de ces éventualités.

 Signature du ou de la juge

 Date de délivrance

 Écrivez le nom du juge en caractères d'imprimerie
 ou dactylographiez-le

REMARQUE : La fait d'avoir purgé la peine d'emprisonnement prescrite n'annule pas les arriérés d'aliments ou d'entretien. La description de la personne à emprisonner figure ci-dessous.

Inscrivez tous les renseignements connus

Nom et prénom officiels de la personne à arrêter				Date de naissance (j,m,a)		Sexe
Noms d'emprunt ou sobriquets						
Adresse résidentielle				Numéro de téléphone		
Adresse au travail				Numéro de téléphone		
Taille	Poids	Couleur des cheveux	Coiffure	Couleur des yeux	Teint	
Numéro de permis de conduire			Automobile (marque, modèle et année)			
Numéro de plaque d'immatriculation et province			Numéro d'assurance sociale			
Clubs, associations ou syndicats						
Date et occasion les plus récentes auxquelles l'adresse résidentielle a été confirmée par voie de signification à personne						
Nom et adresse de la personne à contacter pour de plus amples renseignements				Numéro de téléphone		

(Nom du tribunal) situé(e) au Adresse du greffe	MANDAT D'INCARCÉRATION	
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Numéro de dossier du greffe

(Nom du tribunal)

**Formule 33 : Dénonciation
en vue d'obtenir un mandat
d'amener un enfant**

situé(e) au _____
Adresse du greffe

Je m'appelle (nom et prénom officiels)

J'habite à (municipalité et province)

et je déclare sous serment/j'affirme solennellement que les renseignements suivants sont véridiques :

1. Je suis ☐ un(e) préposé(e) à la protection de l'enfance employé(e) par la (raison sociale de la société d'aide à l'enfance)
- ☐ (Indiquez la profession ou le titre) _____
agent(e) de la paix de la province de l'Ontario, employé(e) au/chez (nom du bureau où vous travaillez)
2. Je crois, en me fondant sur des motifs raisonnables et probables, que (nom et prénom officiels de l'enfant)
est un enfant ayant besoin de protection pour les raisons suivantes : (Indiquez vos motifs.)
3. Je crois, en me fondant sur des motifs raisonnables et probables, qu'un plan d'action moins restrictif que le placement de l'enfant dans un lieu sûr n'est pas disponible ou ne protégerait pas suffisamment l'enfant pour les raisons suivantes : (Indiquez vos motifs.)

(Biffez le point 4 s'il ne s'applique pas.)

4. J'ai des motifs raisonnables et probables de croire que l'enfant se trouve au (Donnez l'adresse au complet ou une description précise des lieux où se trouve l'enfant.)

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page.

Déclaré devant moi à _____
municipalité

à/en/au _____
province, État ou pays

le _____
date

Commissaire aux affidavits
(Dactylographiez le nom ou écrivez-le en caractères d'imprimerie ci-dessous si la signature est illisible.)

Signature

(La présente formule doit être signée en présence d'un avocat, d'un juge de paix, d'un notaire ou d'un commissaire aux affidavits.)

Numéro de dossier du greffe

(Nom du tribunal)

Formule 33A : Mandat
d'amener un enfant

situé(e) au

Adresse du greffe

À TOUS LES PRÉPOSÉS À LA PROTECTION DE L'ENFANCE ET AGENTS DE LA PAIX DE LA PROVINCE DE L'ONTARIO :

Sur la foi d'une dénonciation faite sous serment devant moi aux termes de la partie III de la *Loi sur les services à l'enfance et à la famille* au sujet de l'enfant nommé ou décrit au bas du présent mandat, je suis convaincu(e) qu'il existe des motifs raisonnables et probables de croire ce qui suit :

- a) l'enfant a besoin de protection;
- b) un plan d'action moins restrictif que le placement de l'enfant dans un lieu sûr n'est pas disponible ou ne protégera pas suffisamment l'enfant.

(Cochez la case ci-dessous seulement si vous savez où se trouve l'enfant, sinon biffez le point ci-dessous et apposez vos initiales.)

- ☐ Je suis en outre convaincu(e), sur la foi de cette dénonciation, que l'enfant se trouve actuellement au (Donnez l'adresse en complet ou une description précise des lieux où se trouve l'enfant.)

JE VOUS AUTORISE EN CONSÉQUENCE À AMENER CET ENFANT dans un lieu sûr au sens de la *Loi sur les services à l'enfance et à la famille*.

Le présent mandat expire à (heure) le (date)

Signature du ou de la juge de paix

Date de la signature

Écrivez le nom du juge de paix en caractères d'imprimerie ou
dactylographiez-le

Municipalité où le présent mandat a été signé

REMARQUE : Les modifications ou corrections apportées à la présente formule doivent porter les initiales du juge de paix. Commet une infraction criminelle quiconque modifie le texte du présent mandat après qu'il a été signé par celui-ci.

DESCRIPTION : Insérez tous les renseignements connus

Nom et prénom officiels de la personne visée par le mandat d'amener				Date de naissance (j,m,e)		Sexe
Noms d'emprunt ou sobriquets						
Adresse résidentielle				Numéro de téléphone		
Lieu où se trouve actuellement l'enfant				Numéro de téléphone		
Taille	Poids	Couleur des cheveux	Coiffure	Couleur des yeux	Teint	
Autre caractéristique						
Nom et adresse de la personne à contacter pour de plus amples renseignements				Numéro de téléphone		

720

Numéro de dossier du greffe

(Nom du tribunal)

**Formule 33B : Programme
de soins d'un enfant**situé(e) au _____
Adresse du greffe**Requérant(e)(s)** [Dans la plupart des causes portant sur la protection d'un enfant, le/la requérant(e) sera une société d'aide à l'enfance.]

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).
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Intimé(e)(s) [Dans la plupart des causes portant sur la protection d'un enfant, l'intimé(e) sera un «père» ou une «mère» au sens de l'article 37 de la Loi sur les services à l'enfance et à la famille.]

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).
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- Je m'appelle (nom et prénom officiels)
et je suis (indiquez le poste occupé à la société d'aide à l'enfance)
- L'enfant ou les enfants dans cette cause s'appellent : (Indiquez les nom et prénom officiels de chaque enfant, suivi de sa date de naissance.)
- Dans cette cause, la société d'aide à l'enfance demandera au tribunal :
 - ☐ de conclure que l'enfant ou les enfants ont besoin de protection aux termes de la partie III de la Loi sur les services à l'enfance et à la famille.
 - ☐ de conclure que l'enfant ou les enfants continuent d'avoir besoin de protection lors d'une révision du statut de l'ordonnance rendue le (date), à la suite d'une conclusion précédente communiquée le (date), et selon laquelle l'enfant ou les enfants avaient besoin de protection aux termes de la partie III de la Loi sur les services à l'enfance et à la famille.
- La société d'aide à l'enfance ☐ envisage de soustraire
☐ a soustrait
l'enfant ou les enfants aux soins de l'intimé(e) ou des intimé(e)s ☐ temporairement.
☐ en permanence.
- La société d'aide à l'enfance fournira les services suivants : (Décrivez les services qui seront offerts à l'enfant ou aux enfants et à leur famille.)

Tracez une ligne horizontale en travers de tout espace laissé en
blanc sur la présente page

Suite à la page suivante ➡

Formule 33B : Programme de soins d'un enfant (page 2)

Numéro de dossier du greffe.

6. La société d'aide à l'enfance s'attend à ce que l'intimé(e) ou les intimé(e)s respectent certaines conditions avant qu'elle ne puisse décider que la surveillance ou la tutelle de l'enfant ou des enfants n'est plus nécessaire. La violation de ces conditions pourrait entraîner des conséquences très graves. Les conditions sont les suivantes : *(Énoncez les conditions.)*

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page

Suite à la page suivante ➡

Formule 33B : Programme de soins d'un enfant (page 3)

Numéro de dossier du greffe.

7. Le temps approximatif qu'il faudra pour atteindre les objectifs mentionnés au point 6 est le suivant : *(Indiquez la durée estimative. Si elle est de plus de 3 mois, donnez les raisons.)*
8. L'enfant ou les enfants ne peuvent pas être suffisamment protégés pendant qu'ils sont sous les soins de l'intimé(e) ou des intimé(e)s parce que : *(Indiquez les raisons.)*
9. Les efforts suivants ont été déployés dans le passé pour protéger l'enfant ou les enfants pendant qu'ils étaient sous les soins de l'intimé(e) ou des intimé(e)s. *(Décrivez les efforts déployés. S'il n'y en a pas eu, expliquez pourquoi.)*
10. Les efforts suivants sont prévus pour maintenir l'enfant ou les enfants en contact avec l'intimé(e) ou les intimé(e)s. *(Décrivez les efforts prévus. Écrivez «Néant» si vous n'en prévoyez pas.)*

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page

Suite à la page suivante ➡

Formule 33B : Programme de soins d'un enfant (page 4)

Numéro de dossier du greffe.....

11. La société d'aide à l'enfance ☐ a déployé
☐ déploie

les efforts suivants pour le placement stable à long terme de l'enfant ou des enfants. (Décrivez les efforts sur une période de 24 mois.)

12. Le présent programme de soins a été signifié et des précisions à son sujet ont été données à l'intimé(e) ou aux intimé(e)s et autres personnes nommées ci-dessous :

Écrivez en caractères d'imprimerie le nom de la personne à qui le programme a été expliqué	Écrivez en caractères d'imprimerie le nom de la personne qui a expliqué le programme	Date de l'explication

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page

 Signature

 Date de la signature

Numéro de dossier du greffe

(Nom du tribunal)

**Formule 33C : Exposé
conjoint des faits
(protection de l'enfance)**situé(e) au _____
Adresse du greffe**Requérant(e)(s)** [Dans la plupart des causes portant sur la protection d'un enfant, le/la requérant(e) sera une société d'aide à l'enfance.]

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).
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Intimé(e)(s) [Dans la plupart des causes portant sur la protection d'un enfant, l'intimé(e) sera un «père» une «mère» au sens de l'article 37 de la Loi sur les services à l'enfance et à la famille.]

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).
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LES SIGNATAIRES DU PRÉSENT ACCORD SONT LES SUIVANTS :

(Indiquez les nom et prénom officiels. Si vous êtes un(e) intimé(e), indiquez votre lien de parenté avec l'enfant ou les enfants. Si vous êtes un(e) employé(e) de la société d'aide à l'enfance, indiquez votre poste au sein de la société.)

Écrivez les nom et prénom officiels ou déctylographiez-les	Lien de parenté avec l'enfant OU poste à la société d'aide à l'enfance
Signature	Date de la signature
Écrivez les nom et prénom officiels ou déctylographiez-les	Lien de parenté avec l'enfant OU poste à la société d'aide à l'enfance
Signature	Date de la signature
Écrivez les nom et prénom officiels ou déctylographiez-les	Lien de parenté avec l'enfant OU poste à la société d'aide à l'enfance
Signature	Date de la signature
Écrivez les nom et prénom officiels ou déctylographiez-les	Lien de parenté avec l'enfant OU poste à la société d'aide à l'enfance
Signature	Date de la signature

NOUS SOMMES D'ACCORD :

- que les énoncés contenus dans la présente formule sont véridiques;
- que la présente formule peut être déposée auprès du tribunal et qu'elle peut y être consignée en preuve, sans porter atteinte au droit de quiconque de procéder à un contre-Interrogatoire ou de soumettre d'autres éléments de preuve.

Suite à la page suivante ➡

**Formule 33C : Exposé conjoint des faits
(protection de l'enfance) (page 2)**

Numéro de dossier du greffe

1. Les renseignements concernant l'enfant ou les enfants dans cette cause sont les suivants :

Nom et prénom officiels du premier enfant	Date de naissance	Âge	Sexe
Religion			
Statut de l'enfant indien ou autochtone			
Nom de la bande ou de la communauté autochtone			
Si l'enfant a été arrêté, adresse et nom du lieu d'où il a été retiré			
Nom et prénom officiels de la mère par la naissance ou l'adoption			
Nom et prénom officiels du père par la naissance ou l'adoption			
Statut du père à titre de «père» au sens de la loi			

Nom et prénom officiels du deuxième enfant	Date de naissance	Âge	Sexe
Religion			
Statut de l'enfant indien ou autochtone			
Nom de la bande ou de la communauté autochtone			
Si l'enfant a été arrêté, adresse et nom du lieu d'où il a été retiré			
Nom et prénom officiels de la mère par la naissance ou l'adoption			
Nom et prénom officiels du père par la naissance ou l'adoption			
Statut du père à titre de «père» au sens de la loi			

Nom et prénom officiels du troisième enfant	Date de naissance	Âge	Sexe
Religion			
Statut de l'enfant indien ou autochtone			
Nom de la bande ou de la communauté autochtone			
Si l'enfant a été arrêté, adresse et nom du lieu d'où il a été retiré			
Nom et prénom officiels de la mère par la naissance ou l'adoption			
Nom et prénom officiels du père par la naissance ou l'adoption			
Statut du père à titre de «père» au sens de la loi			

Au besoin, joignez des feuilles supplémentaires et numérotez-les

Suite à la page suivante ➡

**Formule 33C : Exposé conjoint des faits
(protection de l'enfance) (page 3)**

Numéro de dossier du greffe.

2. Les renseignements concernant l'intervention antérieure de la société d'aide à l'enfance à l'égard d'un ou de plusieurs des enfants dans cette cause sont les suivants :
- (Écrivez «Néant» s'il n'y a eu aucune intervention. Indiquez toute intervention par une société d'aide à l'enfance d'une autre partie de l'Ontario ou une agence de protection de l'enfance de l'extérieur de l'Ontario. Rappelez-vous qu'il s'agit ici d'un exposé CONJOINT DES FAITS, ce qui veut dire que vous ne pouvez pas indiquer quelque chose comme étant un fait si une autre partie n'est pas d'accord. Si vous ne vous entendez sur rien, écrivez «Aucun accord».)*
3. L'enfant ou les enfants ont été arrêtés parce que :
- (S'il n'y a eu aucune arrestation, écrivez «Néant». Encore une fois, il doit y avoir accord total entre toutes les parties. Tout point sur lequel il y a désaccord doit être exclu. Si vous ne vous entendez sur rien, écrivez «Aucun accord».)*
4. Nous sommes d'accord que le tribunal devrait conclure que l'enfant ou les enfants ont besoin de protection pour la ou les raisons suivantes :
- (N'indiquez que les raisons énumérées à la page 3 de la requête (formule 8B). Toute raison sur laquelle il y a désaccord doit être exclue. Si vous ne vous entendez pas, écrivez «Aucun accord». De toute façon, le tribunal peut toujours en arriver à une autre conclusion.)*

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page

Suite à la page suivante ➡

**Formule 33C : Exposé conjoint des faits
(protection de l'enfance) (page 4)**

Numéro de dossier du greffe.

5. Nous sommes d'accord que l'ordonnance la moins restrictive possible dans cette cause qui serait dans l'intérêt véritable de l'enfant ou des enfants est :
- (Encore une fois, n'indiquez que les conditions sur lesquelles toutes les parties sont parfaitement d'accord. Si vous ne vous entendez pas, écrivez «Aucun accord». De toute façon, le tribunal peut toujours rendre une autre ordonnance.)*

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page

Numéro de dossier du greffe

(Nom du tribunal)

.....
**Formule 33D : Exposé
 conjoint des faits**
(révision de statut)

situé(e) au

Adresse du greffe

Requérant(e)(s) [Dans la plupart des causes portant sur la protection d'un enfant, le/la requérant(e) sera une société d'aide à l'enfance.]

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Intimé(e)(s) [Dans la plupart des causes portant sur la protection d'un enfant, l'intimé(e) sera un «père» ou une «mère» au sens de l'article 37 de la Loi sur les services à l'enfance et à la famille.]

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

LES SIGNATAIRES DU PRÉSENT ACCORD SONT LES SUIVANTS :

(Indiquez les nom et prénom officiels. Si vous êtes un(e) intimé(e), indiquez votre lien de parenté avec l'enfant ou les enfants. Si vous êtes un(e) employé(e) de la société d'aide à l'enfance, indiquez votre poste au sein de la société.)

Écrivez les nom et prénom officiels ou dactylographiez-les	Lien de parenté avec l'enfant OU poste à la société d'aide à l'enfance
Signature	Date de la signature
Écrivez les nom et prénom officiels ou dactylographiez-les	Lien de parenté avec l'enfant OU poste à la société d'aide à l'enfance
Signature	Date de la signature
Écrivez les nom et prénom officiels ou dactylographiez-les	Lien de parenté avec l'enfant OU poste à la société d'aide à l'enfance
Signature	Date de la signature
Écrivez les nom et prénom officiels ou dactylographiez-les	Lien de parenté avec l'enfant OU poste à la société d'aide à l'enfance
Signature	Date de la signature

NOUS SOMMES D'ACCORD :

- a) que les énoncés contenus dans la présente formule sont véridiques;
- b) que la présente formule peut être déposée auprès du tribunal et qu'elle peut y être consignée en preuve, sans porter atteinte au droit de quiconque de procéder à un contre-interrogatoire ou de soumettre d'autres éléments de preuve.

Suite à la page suivante ➡

**Formule 33D : Exposé conjoint des faits
(révision de statut) (page 2)**

Numéro de dossier du greffe

1. Les renseignements concernant l'enfant ou les enfants dans cette cause sont les suivants :

Nom et prénom officiels du premier enfant	Date de naissance	Âge	Sexe
Religion			
Statut de l'enfant indien ou autochtone			
Nom de la bande ou de la communauté autochtone			
Si l'enfant a été arrêté, adresse et nom du lieu d'où il a été retiré			
Nom et prénom officiels de la mère par la naissance ou l'adoption			
Nom et prénom officiels du père par la naissance ou l'adoption			
Statut du père à titre de «père» au sens de la loi			

Nom et prénom officiels du deuxième enfant	Date de naissance	Âge	Sexe
Religion			
Statut de l'enfant indien ou autochtone			
Nom de la bande ou de la communauté autochtone			
Si l'enfant a été arrêté, adresse et nom du lieu d'où il a été retiré			
Nom et prénom officiels de la mère par la naissance ou l'adoption			
Nom et prénom officiels du père par la naissance ou l'adoption			
Statut du père à titre de «père» au sens de la loi			

Nom et prénom officiels du troisième enfant	Date de naissance	Âge	Sexe
Religion			
Statut de l'enfant indien ou autochtone			
Nom de la bande ou de la communauté autochtone			
Si l'enfant a été arrêté, adresse et nom du lieu d'où il a été retiré			
Nom et prénom officiels de la mère par la naissance ou l'adoption			
Nom et prénom officiels du père par la naissance ou l'adoption			
Statut du père à titre de «père» au sens de la loi			

Au besoin, joignez des feuilles supplémentaires et numérotez-les.

Suite à la page suivante ➡

**Formule 33D : Exposé conjoint des faits
(révision de statut) (page 3)**

Numéro de dossier du greffe

2. L'ordonnance de protection la plus récente à l'égard de l'enfant ou des enfants mentionnés au point 1 a été rendue le (date) et disait ce qui suit : (Indiquez la substance de l'ordonnance.)
3. La ou les raisons pour lesquelles le tribunal a conclu que l'enfant ou les enfants avaient besoin de protection à ce moment-là étaient les suivantes : (Indiquez les motifs.)
4. Depuis que l'ordonnance faisant l'objet de la révision a été rendue, la ou les personnes suivantes sont devenues un «père» ou une «mère» au sens de la partie III de la Loi sur les services à l'enfance et à la famille.
- | | |
|-------------------------|-------------------------------|
| Nom et prénom officiels | Lien de parenté avec l'enfant |
|-------------------------|-------------------------------|
5. Depuis que l'ordonnance a été rendue, les faits importants suivants se sont produits :
(Énumérez les faits qui ont trait aux préoccupations soulevées par le tribunal au point 3. Ne décrivez que ceux sur lesquels vous êtes TOUS d'accord. Rappelez-vous qu'il s'agit ici d'un exposé CONJOINT DES FAITS, ce qui veut dire que vous ne pouvez pas indiquer quelque chose comme étant un fait si au moins un des signataires n'est pas d'accord. Si vous ne vous entendez pas, écrivez «Aucun accord».)
6. À ce jour, les motifs énoncés au point 3 : ☐ continuent d'exister en totalité ou en partie.
☐ n'existent plus.

Les précisions à ce sujet sont les suivantes :

(Indiquez ceux de ces motifs sur lesquels vous êtes tous d'accord qu'ils continuent d'exister. N'indiquez PAS l'opinion d'une partie au sujet du besoin continu de protection si une autre partie n'est pas entièrement d'accord. Cette opinion peut être exprimée, mais pas ici, puisqu'il s'agit d'un exposé conjoint des faits. Si vous n'arrivez pas à vous entendre, écrivez «Aucun accord».)

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page

Suite à la page suivante ➡

**Formule 33D : Exposé conjoint des faits
(révision de statut) (page 4)**

Numéro de dossier du greffe.

7. Les parties suivantes du programme de la société, daté du, ont été menées à bien :
(Encore une fois, tous les signataires du présent document doivent être parfaitement d'accord. Si quelqu'un n'est pas d'accord, le point ne peut pas être énuméré ci-dessous. Si vous ne vous entendez pas, écrivez «Aucun accord».)
8. Les services supplémentaires suivants ont été spécialement fournis ou offerts à la ou aux personnes qui avaient la garde de l'enfant ou des enfants avant qu'ils ne soient confiés aux soins de la société d'aide à l'enfance.
(Si vous n'arrivez pas à vous entendre, écrivez «Aucun accord».)
9. Les parties suivantes du programme de la société n'ont pas été menées à bien :
(Indiquez ce qui n'a pas été accompli. Encore une fois, toutes les parties doivent être d'accord, sinon écrivez «Aucun accord».)
10. Les raisons pour lesquelles les parties du programme n'ont pas été menées à bien sont les suivantes :
(Énumérez les raisons sur lesquelles tous les signataires sont d'accord. N'indiquez pas celles sur lesquelles il y a désaccord. Si vous ne vous entendez pas, écrivez «Aucun accord».)

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page

Suite à la page suivante ➡

**Formule 33D : Exposé conjoint des faits
(révision de statut) (page 5)**

Numéro de dossier du greffe.

11. L'enfant ou les enfants et (*nom des autres personnes*)
☐ n'ont pas besoin ☐ ont toujours besoin
d'autres services.
(*Énumérez les autres services seulement si TOUTES les parties sont d'accord sur leur nécessité. S'il n'y a pas entente, écrivez «Aucun accord».*)
12. Nous sommes d'accord que l'ordonnance la moins restrictive possible dans cette cause qui serait dans l'intérêt véritable de l'enfant ou des enfants est :
(*N'indiquez AUCUNE condition sur laquelle les parties ne sont pas d'accord. Si vous ne vous entendez pas, écrivez «Aucun accord». De toute façon, le tribunal peut toujours rendre une autre ordonnance.*)

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page

Numéro de dossier du greffe

(Nom du tribunal)

situé(e) au

Adresse du greffe

Formule 33E :
Consentement de
l'enfant au traitement
en milieu fermé

Requérant(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant)

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Enfant

Nom et prénom officiels :

Date de naissance :

Sexe :

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

1. Je m'appelle (nom et prénom officiels de l'enfant)
2. Je sais que le/la ou les requérant(e)s demandent au tribunal de rendre une ordonnance :
 - ☐ pour m'envoyer et peut-être me faire détenir pour ma propre protection au
 - ☐ pour me garder plus longtemps et peut-être me garder en détention pour ma propre protection au
 - ☐ pour me donner mon congé du
 (nom et adresse du programme)
3. Je sais que ☐ j'ai le droit de me présenter au tribunal lorsque le juge entendra cette cause, mais je suis d'accord pour ne pas le faire et pour laisser le tribunal rendre sans moi toute ordonnance qui doit être rendue.
☐ le tribunal a généralement besoin d'entendre les témoins avant de pouvoir rendre une ordonnance dans cette cause, mais je suis d'accord pour qu'il rende l'ordonnance sans avoir à entendre les témoins en personne et pour qu'il fonde sa décision sur les éléments de preuve dans les rapports et autres documents que le/la ou les requérant(e)s peuvent présenter au juge.
4. J'ai parlé à un avocat :
 - a) qui m'a expliqué ces choses.
 - b) qui m'a expliqué ce que cela veut dire de signer le présent consentement.
 - c) qui assistera ma signature de la présente formule et la signera comme témoin.

Signature de l'enfant

Date des signatures

Signature de l'avocat(e)

REMARQUE : Le présent consentement doit être signé en présence d'un avocat indépendant qui doit fournir ci-dessous un affidavit de témoin à la signature attestant la fourniture de conseils juridiques indépendants.

REMARQUE : Le consentement visant à passer outre aux témoignages oraux n'est pas valide pendant plus de 180 jours après que le tribunal rend son ordonnance.

Suite à la page suivante ➡

Numéro de dossier du greffe.

Numéro de dossier du greffe

(Nom du tribunal)

situé(e) au

Adresse du greffe

Formule 33F :
Consentement
au traitement en
milieu fermé (personne
autre que l'enfant)

Requérant(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Enfant

Nom et prénom officiels :

Date de naissance :

Sexe :

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom du programme de traitement en milieu fermé dans cette cause et adresse où il est offert

Je m'appelle (nom et prénom officiels) et je suis :

- ☐ l'administrateur(trice) du programme de traitement en milieu fermé. Je consens à la présente requête visant :
 - ☐ à placer l'enfant dans le programme.
 - ☐ à proroger le placement de l'enfant dans le programme.
 - ☐ à proroger le placement dans le programme de la personne qui y a été admise et qui a maintenant atteint l'âge de 18 ans.
- ☐ le père ou la mère de l'enfant. Je consens :
 - ☐ à cette requête visant à placer mon enfant qui est sous les soins d'une personne autre que l'administrateur du programme de traitement en milieu fermé.
 - ☐ au placement de mon enfant dans le programme de traitement en milieu fermé pour une période de 180 jours dans cette requête présentée par (raison sociale de la société d'aide à l'enfance)
 - ☐ à cette requête de l'administrateur du programme de traitement en milieu fermé visant à proroger l'admission de mon enfant au programme.
- ☐ un(e) représentant(e) autorisé(e) du ministère des Services sociaux et communautaires de l'Ontario. Je consens à l'admission de l'enfant qui a moins de 12 ans au programme de traitement en milieu fermé :
 - ☐ temporairement, pendant que cette cause visant à obtenir une ordonnance de placement ou de prorogation du placement est ajournée.
 - ☐ sur ordonnance définitive du tribunal en vue du placement ou de la prorogation du placement.
- ☐ un(e) agent(e) de (raison sociale de la société d'aide à l'enfance)
 Je suis autorisé(e), au nom de la société, à consentir à cette requête de l'administrateur du programme de traitement en milieu fermé visant à proroger le placement de l'enfant dans ce programme.

**Formule 33F : Consentement au traitement en
milieu fermé (personne autre que l'enfant)(page 2)**Numéro de dossier du greffe.....

- ☐ la personne qui fait l'objet de cette cause. J'ai 18 ans ou plus. Je consens à cette requête visant à proroger mon placement dans le programme de traitement en milieu fermé auquel je suis actuellement admis.

Signature

Date de la signature

Numéro de dossier du greffe

(Nom du tribunal)

Formule 34 :
Consentement
de l'enfant à l'adoption

situé(e) au _____
 Adresse du greffe

Requérant(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Intimé(e)(s) [Remarque : Dans certaines causes d'adoption, il se peut qu'il n'y ait aucun intimé officiel.]

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

1. Je m'appelle (nom et prénom officiels de l'enfant)
2. Je suis né(e) le (date de naissance)
3. Je sais que (nom et prénom officiels du/de la ou des requérant(e)s)
demande(nt) au tribunal de rendre une ordonnance d'adoption à mon égard.
4. Je suis d'accord pour qu'ils m'adoptent.
5. On m'a donné l'occasion de recevoir des conseils professionnels.
6. Je sais que j'ai 21 jours pour changer d'idée au sujet du présent *Consentement* et que je devrais le faire savoir par écrit au bureau de la société d'aide à l'enfance au : (adresse municipale)
7. J'ai parlé à un avocat :
 - ☐ qui m'a expliqué ce qu'était une adoption;
 - ☐ qui m'a expliqué ce que cela veut dire de signer le présent *Consentement*;
 - ☐ qui m'a dit quoi faire si je veux changer d'idée au sujet du présent *Consentement*;
 - ☐ qui m'a parlé du registre de divulgation des renseignements sur les adoptions;
 - ☐ qui assistera à ma signature de la présente formule et la signera comme témoin.

À remplir seulement si l'enfant a 12 ans ou plus.

8. J'accepte que mon nom après l'adoption soit (nom et prénom officiels après l'adoption)

 Signature de l'enfant

 Signature d'un avocat indépendant

 Date des signatures

REMARQUE: Le présent consentement doit être attesté par un représentant du Bureau de l'avocat des enfants, qui doit fournir un Affidavit de témoin à la signature attestant la fourniture de conseils juridiques indépendants à la page suivante.

Suite à la page suivante ➡

Formule 34 : Consentement de l'enfant à l'adoption (page 2)

Numéro de dossier du greffe.....

**AFFIDAVIT DE TÉMOIN À LA SIGNATURE ATTESTANT LA FOURNITURE
DE CONSEILS JURIDIQUES INDÉPENDANTS**

Je m'appelle (*nom et prénom officiels*)

et je déclare sous serment/j'affirme solennellement que les renseignements suivants sont véridiques :

1. Je suis membre du Barreau de (*nom du territoire de compétence*)
et mandataire du Bureau de l'avocat des enfants.
2. Je ne représente personne d'autre dans cette cause d'adoption.
3. J'ai expliqué ce qui suit à (*nom et prénom officiels de l'enfant*)
 - ☐ la nature et l'effet d'une adoption selon le droit de l'Ontario;
 - ☐ la nature et l'effet du présent consentement;
 - ☐ les circonstances dans lesquelles le présent consentement peut être retiré;
 - ☐ la nature et le fonctionnement du registre de divulgation des renseignements sur les adoptions de l'Ontario;
 - ☐ le droit, sur demande, d'être informé si une ordonnance d'adoption a été rendue,
dans un langage adapté à son âge au mieux de ma connaissance et de ma compétence.
4. Après mon explication, l'enfant m'a dit qu'il voulait signer le présent consentement.
5. J'étais présent(e) lorsque l'enfant a signé le présent consentement et je l'ai signé comme témoin.

Déclaré sous serment/Affirmé solennellement devant moi à

municipalité

à/en/au
province, État ou paysà/en/au
date

Commissaire aux affidavits

(Dactylographiez le nom ou écrivez-le en caractères d'imprimerie
ci-dessous si la signature est illisible.)

Signature

(La présente formule doit être si-
gnée en présence d'un avocat, d'un
juge de paix, d'un notaire ou d'un
commissaire aux affidavits.)

Numéro de dossier du greffe

(Nom du tribunal)

**Formule 34A : Affidavit
de filiation daté du**situé(e) au _____
Adresse du greffe**Requérant(e)(s)**

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Intimé(e)(s) [Remarque : Dans certaines causes d'adoption, il se peut qu'il n'y ait aucun Intimé officiel.]

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Je m'appelle (nom et prénom officiels)

J'habite à (municipalité et province)

et je déclare sous serment/j'affirme solennellement que les renseignements suivants sont véridiques :

1. Les nom et prénom officiels de l'enfant sont les suivants :
2. Je suis (Indiquez votre lien de parenté avec l'enfant)
3. L'enfant est né le (date) à (municipalité, province, etc.)
4. La naissance de l'enfant a été consignée au registre de l'état civil du/de l'/de la (province) sous le ou les noms suivants :

Cochez la case applicable

5. ☐ Je ne connais pas l'identité du père biologique de l'enfant.
- ☐ Le père biologique de l'enfant s'appelle (nom et prénom officiels)
- ☐ Les seuls renseignements que j'ai eu sujet du père biologique de l'enfant sont les suivants : (Précisez.)

6. (Nom d'une personne qui connaît la signification juridique de l'expression «père ou mère») a examiné avec moi les catégories de personnes qui ont le qualité de «père ou mère» pour l'application de la Loi sur les services à l'enfance et à la famille et dont le consentement est nécessaire avant que l'enfant puisse être adopté.

Suite à la page suivante ➡

Formule 34A : Affidavit de filiation (page 2)

Numéro de dossier du greffe.....

Cochez les cases ci-dessus qui s'appliquent à votre cas

7. L'examen mentionné au point 6 comprenait l'examen des points suivants :

- ☐ L'enfant est né dans les 300 jours qui suivent le moment où :
- ☐ est décédé le mari de la mère (*nom et prénom officiel du mari*)
 - ☐ la mère a obtenu un divorce de (*nom et prénom officiels du conjoint*)
 - ☐ la mère a obtenu une annulation de son mariage avec (*nom et prénom officiels du conjoint*)
 - ☐ a pris fin la cohabitation de la mère, qui a duré (*Indiquez la durée*) avec (*nom et prénom officiels de l'homme*)
- ☐ À la naissance de l'enfant, sa mère :
- ☐ n'était pas mariée.
 - ☐ était mariée à (*nom et prénom officiels du mari*)
 - ☐ ne cohabitait avec aucun homme.
 - ☐ cohabitait avec (*nom et prénom officiels de l'homme*) depuis (*Indiquez la durée de l'union*)
- ☐ Après la naissance de l'enfant, sa mère :
- ☐ est demeurée célibataire jusqu'à ce jour, au mieux de ma connaissance et de mes renseignements.
 - ☐ a marié un homme qui n'a jamais reconnu être le père de l'enfant.
 - ☐ le (*date*), a marié (*nom et prénom officiels du mari*) qui a reconnu être le père de l'enfant.
- ☐ Aux termes de la Loi sur les statistiques de l'état civile l'Ontario ou d'une loi semblable d'une autre province ou d'un territoire du Canada :
- ☐ aucun homme n'a, au mieux de ma connaissance et de mes renseignements,
 - ☐ (*nom et prénom officiels de l'homme*) a certifié la naissance de l'enfant à titre de père de l'enfant.
- ☐ À ce jour :
- ☐ aucun homme n'a, au mieux de ma connaissance et de mes renseignements, été reconnu par un tribunal du Canada
 - ☐ (*nom et prénom officiels de l'homme*) a été reconnu par (*nom du tribunal*) comme le père de l'enfant.
- ☐ Dans les 12 mois avant que l'enfant ne soit placé en vue de son adoption :
- ☐ personne n'a
 - ☐ (*nom et prénom officiels de la personne*) a manifesté une intention bien arrêtée de traiter l'enfant comme s'il s'agissait d'un enfant de sa famille.
- ☐ Dans les 12 mois avant que l'enfant ne soit placé en vue de son adoption :
- ☐ personne n'a reconnu devant moi ni, au mieux de ma connaissance et de mes renseignements, devant une autre personne ou un autre organisme
 - ☐ (*nom et prénom officiels de la personne*) a reconnu
 - ☐ devant moi
 - ☐ devant (*nom de l'autre personne ou organisme*)
- un lien de filiation qui l'unit à l'enfant et subvenu à ses besoins.
- ☐ Une déclaration solennelle :
- ☐ n'a jamais, au mieux de ma connaissance et de mes renseignements, été déposée par qui que ce soit
 - ☐ a été déposée par (*nom et prénom officiels de la personne*) au bureau du registraire général de l'état civil reconnaissant un lien de filiation qui l'unit à l'enfant.
- ☐ Il
- ☐ n'existe aucun accord écrit ou ordonnance du tribunal qui exige de qui que ce soit qu'il ou elle
 - ☐ existe un accord écrit, conclu le (*date*) à (*municipalité, etc.*) exige de (*nom et prénom officiels de la personne*) qu'il ou elle
 - ☐ existe une ordonnance du/de (*nom du tribunal*) rendue le (*date*) é (*municipalité, etc.*)

Sulla à la page suivante ➡

Formule 34A : Affidavit de filiation (page 3)

Numéro de dossier du greffe.....

qui exige de (*nom et prénom officiels de la personne*) qu'il ou elle
subviennne aux besoins de l'enfant.

- ☐ II ☐ n'existe aucun accord écrit ou ordonnance du tribunal qui donne à qui que ce soit
☐ existe un accord écrit, conclu le (*date*) à
 (*municipalité, etc.*)
 qui donne à (*nom et prénom officiels de la personne*)
☐ existe une ordonnance du/de (*nom du tribunal*) , rendue
 le (*date*) à
 (*municipalité, etc.*)
 qui donne à (*nom et prénom officiels de la personne*)
 la garde de l'enfant ou un droit de visite à celui-ci.

8. L'examen mentionné aux points 6 et 7 Indique que, à l'exception de la mère de l'enfant :

- ☐ personne d'autre n'entre
☐ (*nom et prénom officiels de la ou des personnes*) entre(nt)

dans la définition d'un «père» ou d'une «mère» dont le consentement serait en conséquence exigé avant que l'enfant puisse être
adopté.

Déclaré sous serment/Affirmé solennellement devant moi à

 municipalité

à/en/au

 province, État ou pays

le

 date
 Commissaire aux affidavits
 (Dactylographiez la nom ou écrivez-le en caractères d'imprimerie
 ci-dessous si la signature est illisible.)

Signature

(La présente formule doit être signée en
présence d'un avocat, d'un juge de paix,
d'un notaire ou d'un commissaire aux
affidavits.)

Numéro de dossier du greffe

(Nom du tribunal)

situé(e) au

Adresse du greffe

.....
Formule 34B :
Consentement d'une
personne autre que le
père ou la mère à
l'adoption par le conjoint

Requérant(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Intimé(e)(s) [Remarque : Dans certaines causes d'adoption, il se peut qu'il n'y ait aucun intimé officiel.]

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

1. Je m'appelle (nom et prénom officiels)
 et j'habite à (municipalité et province)
2. Le/la requérant(e) est mon «conjoint» au sens de la partie VII de la *Loi sur les services à l'enfance et à la famille*.
3. Je ne suis pas le «père» ou la «mère» de l'enfant dans cette cause au sens de la partie VII de la *Loi sur les services à l'enfance et à la famille*.
4. Je consens à l'adoption de (nom et prénom officiels de l'enfant)
 par mon conjoint (nom et prénom officiels du conjoint)

Signature de la personne qui n'est pas le père ou la mère

Date des signatures

Signature d'un avocat indépendant

REMARQUE : Le présent consentement doit être signé en présence d'un avocat indépendant qui doit fournir ci-dessous l'affidavit de témoin à la signature attestant la fourniture de conseils juridiques indépendants. Si la personne qui donne son consentement a moins de 18 ans, le consentement doit également être accompagné d'une attestation de l'avocat des enfants selon la formule 34J.

Suite à la page suivante ➡

Formule 34B : Consentement d'une personne autre que le père ou la mère à l'adoption par le conjoint (page 2)

Numéro de dossier du greffe.....

AFFIDAVIT DE TÉMOIN À LA SIGNATURE ATTESTANT LA FOURNITURE DE CONSEILS JURIDIQUES INDÉPENDANTS

Je m'appelle (nom et prénom officiels)

et je déclare sous serment/j'affirme solennellement que les renseignements suivants sont véridiques :

1. Je suis membre du Barreau de (nom du territoire de compétence)
et je ne représente personne d'autre dans cette cause d'adoption.
2. J'ai expliqué ce qui suit à (nom et prénom officiels de la personne qui n'est pas le père ou la mère)
 - ☐ la nature et l'effet d'une adoption selon le droit de l'Ontario;
 - ☐ la nature et l'effet du présent consentement;
 - ☐ les circonstances dans lesquelles le présent consentement peut être retiré;
 - ☐ la nature et le fonctionnement du registre de divulgation des renseignements sur les adoptions de l'Ontario;
 - ☐ le droit de recevoir des conseils professionnels.
3. Après mon explication, la personne m'a dit qu'elle voulait signer le présent consentement
4. J'étais présent(e) lorsque la personne a signé le présent consentement et je l'ai signé comme témoin.

Déclaré sous serment/Affirmé solennellement devant moi à

municipalité

à/en/au
province, État ou paysle
date

Commissaire aux affidavits
(Dactylographiez le nom ou écrivez-le en caractères
d'imprimerie ci-dessous si la signature est illisible)

Signature

(La présente formule doit être
signée en présence d'un avocat,
d'un juge de paix, d'un notaire ou
d'un commissaire aux affidavits.)

Numéro de dossier du greffe

(Nom du tribunal)

**Formule 34C : Déclaration
du directeur ou du
directeur local au sujet
de l'adoption**

situé(e) au

Adresse du greffe

Requérant(e)(s)

<p><i>Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>	<p><i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>
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Enfant

<p><i>Nom et prénom officiels :</i></p> <p><i>Date de naissance :</i></p> <p><i>Sexe :</i></p>	<p><i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>
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Un directeur local d'une société d'aide à l'enfance peut remplir la présente formule que si l'enfant a été placé en vue de son adoption par la société et que s'il a résidé au domicile du/de la ou des requérant(e)s pendant au moins 6 mois.

1. Je m'appelle (nom et prénom officiels) , et je suis
 - ☐ nommé directeur aux termes de la Loi sur les services à l'enfance et à la famille.
 - ☐ le directeur local de (raison sociale de la société d'aide à l'enfance)
2. L'enfant, dans cette cause d'adoption : ☐ a moins de 16 ans.
☐ a moins de 18 ans et ne s'est pas soustrait à l'autorité parentale.
3. L'enfant réside au domicile du/de la ou des requérant(e)s depuis le (date)
4. Dans l'intérêt véritable de l'enfant, je recommande ce qui suit :
 - ☐ qu'il soit passé outre à la condition de résidence et qu'une ordonnance soit rendue en vue de l'adoption de l'enfant par le/la ou les requérant(e)s.
 - ☐ que le tribunal rende une ordonnance de garde provisoire de l'enfant en faveur du/de la ou des requérant(e)s pour une période maximale d'un an aux conditions énoncées ci-dessous.
 - ☐ étant donné que l'enfant a résidé à son ou à leur domicile pendant au moins 6 mois, qu'une ordonnance soit rendue en vue de l'adoption de l'enfant par le/la ou les requérant(e)s.
 - ☐ qu'une ordonnance ne soit pas rendue en vue de l'adoption de l'enfant pour les motifs énoncés ci-dessous.
5. Le rapport sur la façon dont l'enfant s'adapte au foyer du/de la ou des requérant(e)s est joint à la présente déclaration.
6. Il ☐ n'existe aucune circonstance supplémentaire sur laquelle je désire attirer l'attention du tribunal.
☐ existe des circonstances supplémentaires, énoncées ci-dessous, sur lesquelles je désire attirer l'attention du tribunal.

Signature

Date de la signature

Lieu de la signature

AVIS AUX REQUÉRANT(E)S : Si vous n'êtes pas d'accord avec l'une ou l'autre des déclarations faites dans le présent document, vous aurez l'occasion de les contester devant le tribunal et de soumettre vos propres preuves.

Sulte à la page suivante ➡

**Formule 34 C : Déclaration du directeur ou du directeur
local au sujet de l'adoption (page 2)**

Numéro de dossier du greffe

(Indiquez les circonstances supplémentaires sur lesquelles vous désirez attirer l'attention du tribunal. Au besoin, joignez des pages supplémentaires.)

(Indiquez les conditions proposées de l'ordonnance de garde provisoire ou les raisons pour lesquelles vous recommandez de ne pas rendre d'ordonnance d'adoption. Au besoin, joignez des pages supplémentaires.)

Numéro de dossier du greffe

(Nom du tribunal)

.....
Formule 34D : Affidavit
du/de la requérant(e) qui
demande l'adoption

situé(e) au
 Adresse du greffe

Requérant(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Intimé(e)(s) [Remarque : Dans certaines causes d'adoption, il se peut qu'il n'y ait aucun intimé officiel.]

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Je m'appelle/nous nous appelons (nom et prénom officiels)

J'habite/nous habitons à (municipalité et province)

et je déclare/nous déclarons sous serment/j'affirme/nous affirmons solennellement que les renseignements suivants sont véridiques :

1. Je suis/nous sommes le/la ou les requérant(e)s qui demande/demandons l'adoption de l'enfant dans cette cause et je réside/nous résidons en Ontario.
2. Ma ou nos dates de naissance sont les suivantes : (S'il y a deux personnes, indiquez le nom à côté de la date.)
3. Mes ou nos antécédents sont les suivants : (Donnez des précisions sur votre santé, vos études, votre emploi, votre capacité de subvenir aux besoins de l'enfant et de prendre soin de lui et tout autre renseignement pertinent. Au besoin, joignez des pages supplémentaires.)

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page

Suite à la page suivante ➡

**Formule 34D : Affidavit du/de la requérant(e)
qui demande l'adoption (page 2)**

Numéro de dossier du greffe.

4. L'enfant est un résident de l'Ontario et :

- ☐ mon/notre petit-fils ou ma/notre petite-fille par le sang, le mariage ou l'adoption.
- ☐ mon/notre petit-neveu ou ma/notre petite-nièce par le sang, le mariage ou l'adoption.
- ☐ mon/notre neveu ou ma/notre nièce par le sang, le mariage ou l'adoption.
- ☐ un enfant de mon conjoint et mon beau-fils ou ma belle-fille.
- ☐ n'a aucun lien de parenté avec moi/nous.

5. L'historique de mes ou de nos rapports avec l'enfant est le suivant : (Précisez en quoi consistent vos rapports avec l'enfant. Au besoin, joignez des pages supplémentaires.)

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page

Suite à la page suivante ➡

Formule 34D : Affidavit du/de la requérant(e)
qui demande l'adoption (page 3)

Numéro de dossier du greffe.

- Cochez la case applicable
6.

☐

Je suis le/la seul(e) requérant(e) pour l'adoption de cet enfant et si une ordonnance d'adoption est rendue, j'en serai le seul père ou la seule mère légitime.

☐

Je suis le/la seul(e) requérant(e) pour l'adoption de cet enfant. Si une ordonnance d'adoption est rendue, je me joindrai à (nom et prénom officiel du conjoint) qui est mon conjoint au sens de la partie VII de la *Loi sur les services à l'enfance et à la famille* et, ensemble, nous serons les seuls père et mère légitimes de l'enfant.

☐

Nous demandons d'adopter cet enfant conjointement à titre de conjoints au sens de la partie VII de la *Loi sur les services à l'enfance et à la famille*. Si une ordonnance d'adoption est rendue, nous serons les seuls père et mère légitimes de l'enfant.
7.

Je comprends/nous comprenons bien le rôle particulier d'un père adoptif ou d'une mère adoptive.
8.

Je n'ai/nous n'avons ou, au mieux de ma ou de notre connaissance, personne d'autre n'a fait, reçu, ni accepté de faire ou de recevoir un paiement ou une récompense de n'importe quelle sorte en ce qui concerne, selon le cas :

a)

l'adoption de l'enfant;

b)

le placement de l'enfant en vue de son adoption;

c)

un consentement à l'adoption de l'enfant;

c)

des négociations entreprises ou des mesures prises dans le dessein de faire adopter l'enfant, à l'exclusion toutefois de ce qu'autorisent la *Loi sur les services à l'enfance et à la famille* et ses règlements d'application.
9.

Je comprends/nous comprenons la nature et le fonctionnement du registre de divulgation des renseignements sur les adoptions de l'Ontario.
10.

Je désire/nous désirons porter à l'attention du tribunal les faits supplémentaires suivants au sujet de l'intérêt véritable de l'enfant:
(Indiquez tout fait supplémentaire. Au besoin, joignez des pages supplémentaires.)

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page

Individuellement(← Biffez, s'il y a lieu)
Déclaré sous serment/Affirmé solennellement devant moi à
à/en/au
à/en/au
date
Commissaire aux affidavits
(Dactylographiez le nom ou écrivez-le en caractères d'imprimerie
ci-dessous si la signature est illisible.)

Signature

Signature
(Le présente formule doit être signée en
présence d'un avocat, d'un juge de paix,
d'un notaire ou d'un commissaire aux
affidavits.)

Numéro de dossier du greffe

(Nom du tribunal)

.....
Formule 34E :
Consentement du
directeur à l'adoption

situé(e) au
 Adresse du greffe

Requérant(e)(s)

<i>Nom et prénom officiels et adresse aux fins de signification — numéro at rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i>	<i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i>

Enfant

<i>Nom et prénom officiels :</i> <i>Date de naissance :</i> <i>Sexe :</i>	<i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i>

1. Je m'appelle (nom et prénom officiels) et je suis nommé directeur aux termes de la *Loi sur les services à l'enfance et à la famille*.
2. L'enfant, dans cette cause d'adoption, est devenu un pupille de la Couronne le (date) et a été confié aux soins de la (raison sociale de la société d'aide à l'enfance)
3. Aucune ordonnance de visite n'est en vigueur à l'égard de l'enfant.
4. Je consens à l'adoption de cet enfant par le ou les requérants.

Signature

Date de la signature

Lieu de la signature

Numéro de dossier du greffe

(Nom du tribunal)

situé(e) au

Adresse du greffe

.....
Formule 34F :
Consentement du père,
de la mère ou du
gardien à l'adoption

1. Je m'appelle (nom et prénom officiels)
 Je suis né(e) le (date de naissance)
 et j'habite au (adresse du domicile)
2. L'enfant dans cette cause s'appelle : (nom et prénom officiels et date de naissance)
3. Je suis le père ou la mère de l'enfant au sens de la partie VII de la *Loi sur les services à l'enfance et à la famille* parce que je suis (cochez la case appropriée ci-dessous.)

<input type="checkbox"/> la mère de l'enfant. <input type="checkbox"/> le père de l'enfant. <input type="checkbox"/> la personne qui est présumée être le père de l'enfant aux termes de l'article 8 de la <i>Loi portant réforme du droit de l'enfance</i> . <input type="checkbox"/> la personne qui a la garde légitime de l'enfant. <input type="checkbox"/> la personne qui, au cours des 12 mois avant que l'enfant ne soit placé en vue de son adoption, a manifesté l'intention bien arrêtée de traiter l'enfant comme s'il s'agissait d'un membre de sa famille. <input type="checkbox"/> la personne qui, au cours des 12 mois avant que	l'enfant ne soit placé en vue de son adoption, a reconnu le lien de filiation qui l'unit à l'enfant et a subvenu à ses besoins. <input type="checkbox"/> la personne qui est tenue de subvenir aux besoins de l'enfant, s'en est vu accorder la garde ou possède un droit de visite à son égard aux termes d'un accord écrit ou d'une ordonnance du tribunal. <input type="checkbox"/> la personne qui a reconnu le lien de filiation qui l'unit à l'enfant aux termes de l'article 12 de la <i>Loi portant réforme du droit de l'enfance</i> .
---	---
4. Je comprends la nature et l'effet du présent consentement. Je comprends que je peux le retirer dans les 21 jours en déposant un avis de retrait par écrit au bureau de la société d'aide à l'enfance situé au (adresse)
5. Je comprends que, une fois les 21 jours écoulés, je ne pourrai pas retirer le présent consentement sans la permission du tribunal, et ce seulement si mon enfant n'a pas encore été placé en vue de son adoption et que je peux prouver qu'il est dans son intérêt véritable de retirer le présent consentement.
6. Je comprends la nature d'une ordonnance d'adoption et le fait que je ne serai plus le père ou la mère de mon enfant si une telle ordonnance est rendue.
7. Je comprends que j'ai le droit de demander de savoir si une ordonnance d'adoption a été rendue à l'égard de mon enfant et d'en être avisé(e).
8. Je comprends la nature et le fonctionnement du registre de divulgation des renseignements sur les adoptions de l'Ontario et le fait que nous avons, mon enfant et moi-même, le droit d'y participer.
9. J'ai eu l'occasion de recevoir des conseils professionnels à l'égard du présent consentement.
10. J'ai reçu des conseils juridiques indépendants à l'égard du présent consentement.

Signature du père ou de la mère

Date des signatures

Signature d'un avocat indépendant

REMARQUE : Le présent consentement doit être signé en présence d'un avocat indépendant qui doit fournir ci-dessous un affidavit de témoin à la signature attestant la fourniture de conseils juridiques indépendants. Si la personne qui donne son consentement a moins de 18 ans, le consentement doit également être accompagné d'une attestation de l'avocat des enfants selon la formule 34J.

Suite à la page suivante ➡

**Formule 34F : Consentement du père, de la mère
ou du gardien à l'adoption (page 2)**

Numéro de dossier du greffe

**AFFIDAVIT DE TÉMOIN À LA SIGNATURE ATTESTANT LA FOURNITURE DE CONSEILS
JURIDIQUES INDÉPENDANTS**

Je m'appelle (nom et prénom officiels)

et je déclare sous serment/j'affirme solennellement que les renseignements suivants sont véridiques :

1. Je suis membre du Barreau de (nom du territoire de compétence)
et je ne représente personne d'autre dans cette cause d'adoption.
2. J'ai expliqué ce qui suit à (nom et prénom officiels du père ou de la mère)
 - ☐ la nature et l'effet d'une adoption selon le droit de l'Ontario;
 - ☐ la nature et l'effet du présent consentement;
 - ☐ les circonstances dans lesquelles le présent consentement peut être retiré;
 - ☐ la nature et le fonctionnement du registre de divulgation des renseignements sur les adoptions de l'Ontario;
 - ☐ le droit de recevoir des conseils professionnels.
3. Après mon explication, la personne m'a dit qu'elle voulait signer le présent consentement.
4. J'étais présent(e) lorsque la personne a signé le présent consentement et je l'ai signé comme témoin.

Déclaré sous serment/Affirmé solennellement devant moi à
municipalité

à/en/au
province, État ou pays

le
date
Commissaire aux affidavits
(Dactylographiez le nom ou écrivez-le en caractères d'imprimerie
ci-dessous si la signature est illisible.)

Signature
(La présente formule doit être signée
en présence d'un avocat, d'un juge
de paix, d'un notaire ou d'un com-
missaire aux affidavits.)

Numéro de dossier du greffe

(Nom du tribunal)

**Formule 34G : Affidavit du
titulaire de permis ou
de l'employé de la société**situé(e) au _____
Adresse du greffe**Requérant(e)(s)**

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant)

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Intimé(e)(s) [Remarque : Dans certaines causes d'adoption, il se peut qu'il n'y ait aucun intimé officiel.]

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant)

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Je m'appelle (nom et prénom officiels)

J'habite à (municipalité et province)

et je déclare sous serment/J'affirme solennellement que les renseignements suivants sont véridiques :

1. L'enfant qui est placé en vue de l'adoption s'appelle (nom et prénom officiels de l'enfant)
2. Je suis ☐ le ou la titulaire d'un permis délivré aux termes de la partie IX de la *Loi sur les services à l'enfance et à la famille* m'autorisant à placer l'enfant en vue de l'adoption.
☐ un(e) employé(e) de la (raison sociale de la société d'aide à l'enfance)
 qui est autorisé à placer l'enfant en vue de l'adoption.
3. J'ai fait des recherches raisonnables pour savoir s'il existait des ordonnances de garde ou de droit de visite à l'égard de l'enfant. Au mieux de ma connaissance :
☐ il n'existe aucune ordonnance.
☐ l'ordonnance ou les ordonnances existantes sont les suivantes : (Pour chaque ordonnance, indiquez le nom du tribunal, la date de l'ordonnance, le nom du juge, le numéro de dossier du greffe et les nom et prénom officiels de la ou des personnes à qui est accordé la garde ou le droit de visite aux termes de l'ordonnance.)

Tracez une ligne horizontale en travers de tout espace laissé en
blanc sur la présente page

Suite à la page suivante ➡

**Formule 34G : Affidavit du titulaire de permis
ou de l'employé de la société (page 2)**

Numéro de dossier du greffe

4. J'ai fait des recherches raisonnables pour savoir s'il existait une personne, autre que la ou les personnes qui ont déjà déposé un consentement, qui est le «père» ou la «mère» de l'enfant au sens de la partie VII de la *Loi sur les services à l'enfance et à la famille*. Au mieux de ma connaissance :
- ☐ il n'existe pas d'autre «père» ou «mère».
 - ☐ l'autre «père» ou «mère», ou les «père et mère», sont : *(Indiquez les nom et prénom officiels et l'adresse de chaque personne ainsi que la raison pour laquelle un consentement n'est pas encore disponible.)*
5. J'ai fait des recherches raisonnables pour savoir s'il existait une autre requête en adoption à l'égard de cet enfant. Au mieux de ma connaissance :
- ☐ aucune autre requête en adoption n'a été présentée à l'égard de cet enfant.
 - ☐ les détails de l'autre ou des autres requêtes en adoption sont les suivants : *(Pour chaque requête, indiquez les nom et lieu du tribunal devant lequel la requête a été présentée, la date de la requête, les nom et prénom officiels du/de la ou des requérant(e)s et le résultat de la requête.)*
6. J'ai fait des recherches raisonnables pour savoir si la ou les personnes qui ont déposé le ou les consentements visés par la présente requête ont retiré ceux-ci ou si un tribunal les a annulés. Au mieux de ma connaissance :
- ☐ aucun consentement n'a été retiré ou annulé.
 - ☐ les détails du retrait ou de l'annulation sont les suivants : *(Précisez.)*
7. L'enfant, dans cette cause d'adoption :
- ☐ a 7 ans ou plus et je lui ai donc offert l'occasion de recevoir des conseils professionnels au sujet du consentement. Cette offre :
 - ☐ a été acceptée et l'enfant a reçu des conseils professionnels.
 - ☐ a été refusée par l'enfant.
 J'ai également veillé à ce que l'enfant reçoive des conseils juridiques indépendants de *(nom de l'avocat)*
 - ☐ a moins de 7 ans et des conseils professionnels ou des conseils juridiques indépendants ne lui ont pas été offerts.
8. J'ai offert au père ou à la mère de l'enfant, ou aux deux, l'occasion de recevoir des conseils professionnels au sujet du consentement et mon offre :
- ☐ a été acceptée par *(nom du père ou de la mère, ou des deux, qui ont accepté l'offre)* et des conseils professionnels leur ont été fournis.
 - ☐ a été refusée par *(nom du père ou de la mère, ou des deux, qui ont refusé l'offre)*

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page

Suite à la page suivante ➡

Formule 34G : Affidavit du titulaire de permis
ou de l'employé de la société (page 3)

Numéro de dossier du greffe

9. Le père ou la mère, ou les deux, ont reçu des conseils juridiques indépendants de *(nom de l'avocat ou des avocats)*
10. Au mieux de ma connaissance, personne n'a fait, reçu, ni accepté de faire ou de recevoir un paiement ou une récompense de n'importe quelle sorte en ce qui concerne, selon le cas :
- e) l'adoption de l'enfant;
 - b) le placement de l'enfant en vue de son adoption;
 - c) un consentement à l'adoption de l'enfant;
 - d) des négociations entreprises ou des mesures prises dans le dessein de faire adopter l'enfant,
- à l'exclusion toutefois de ce qu'autorisent la *Loi sur les services à l'enfance et à la famille* et ses règlements d'application.

Déclaré sous serment/Affirmé solennellement devant moi à		Signature <i>(La présente formule doit être signée en présence d'un avocat, d'un juge de paix, d'un notaire ou d'un commissaire aux affidavits.)</i>
à/en/au municipalité		
le province, État ou pays		
le date		
Commissaire aux affidavits <i>(Dactylographiez le nom ou écrivez-le en caractères d'imprimerie ci-dessous si la signature est illisible.)</i>		

Numéro de dossier du greffe

(Nom du tribunal)

**Formule 34H : Affidavit du
parent adoptif ou du
conjoint adoptif du père
ou de la mère**

situé(e) au _____
Adresse du greffe

Requérant(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Intimé(e)(s) [Remarque : Dans certaines causes d'adoption, il se peut qu'il n'y ait aucun Intimé officiel.]

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Je m'appelle (nom et prénom officiels)

J'habite à (municipalité et province)

et je déclare sous serment/j'affirme solennellement que les renseignements suivants sont véridiques :

1. Je suis né(e) le (date de naissance)
2. L'enfant que je désire adopter s'appelle (nom et prénom officiels de l'enfant)
3. Je suis le/la requérant(e) dans cette cause d'adoption et je suis :
 - ☐ le conjoint du père ou de la mère de l'enfant.
 - ☐ l'oncle ou la tante de l'enfant par le sang, le mariage ou l'adoption.
 - ☐ le grand-père ou la grand-mère de l'enfant par le sang, le mariage ou l'adoption.
 - ☐ le grand-oncle ou la grand-tante de l'enfant par le sang, le mariage ou l'adoption.
4. J'ai fait des recherches raisonnables pour savoir s'il existait des ordonnances de garde ou de droit de visite à l'égard de l'enfant. Au mieux de ma connaissance :
 - ☐ il n'existe aucune ordonnance.
 - ☐ l'ordonnance ou les ordonnances existantes sont les suivantes : (Pour chaque ordonnance, indiquez le nom du tribunal, la date de l'ordonnance, le nom du juge, le numéro de dossier du greffe et les nom et prénom officiels de la ou des personnes à qui est accordé la garde ou le droit de visite aux termes de l'ordonnance.)

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page

Suite à la page suivante ➡

Formule 34H : Affidavit du parent adoptif ou du conjoint
adoptif du père ou de la mère (page 2)

Numéro de dossier du greffe

5. J'ai fait des recherches raisonnables pour savoir s'il existait une personne, autre que la ou les personnes qui ont déjà déposé un consentement, qui est le «père» ou la «mère» de l'enfant au sens de la partie VII de la Loi sur les services à l'enfance et à la famille. Au mieux de ma connaissance :
- ☐ il n'existe pas d'autre «père» ou «mère».
 - ☐ l'autre «père» ou «mère», ou les «père et mère», sont : *(Indiquez les nom et prénom officiels et l'adresse de chaque personne ainsi que la raison pour laquelle un consentement n'est pas encore disponible.)*
6. J'ai fait des recherches raisonnables pour savoir s'il existait une autre requête en adoption à l'égard de cet enfant. Au mieux de ma connaissance :
- ☐ aucune autre requête en adoption n'a été présentée à l'égard de cet enfant.
 - ☐ les détails de l'autre ou des autres requêtes en adoption sont les suivants : *(Pour chaque requête, indiquez les nom et lieu du tribunal devant lequel la requête a été présentée, le date de la requête, les nom et prénom officiels du/de le ou des requérant(e)s et le résultat de la requête.)*
7. J'ai fait des recherches raisonnables pour savoir si la ou les personnes qui ont déposé le ou les consentements visés par la présente requête ont retiré ceux-ci ou si un tribunal les a annulés. Au mieux de ma connaissance :
- ☐ aucun consentement n'a été retiré ou annulé.
 - ☐ les détails du retrait ou de l'annulation sont les suivants : *(Précisez.)*
8. L'enfant, dans cette cause d'adoption :
- ☐ a 7 ans ou plus et je lui ai donc offert l'occasion de recevoir des conseils professionnels au sujet du consentement. Cette offre :
 - ☐ a été acceptée et l'enfant a reçu des conseils professionnels.
 - ☐ a été refusée par l'enfant.J'ai également veillé à ce que l'enfant reçoive des conseils juridiques indépendants de *(nom de l'avocat)*
 - ☐ a moins de 7 ans et des conseils professionnels ou des conseils juridiques indépendants ne lui ont pas été offerts.
9. J'ai offert au père ou à la mère de l'enfant, ou aux deux, l'occasion de recevoir des conseils professionnels au sujet du consentement et mon offre :
- ☐ a été acceptée par *(nom du père ou de la mère, ou des deux, qui ont accepté l'offre)* et des conseils professionnels leur ont été fournis.
 - ☐ a été refusée par *(nom du père ou de la mère, ou des deux, qui ont refusé l'offre)*

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page

Suite à la page suivante ➡

**Formule 34H : Affidavit du parent adoptif ou du conjoint
adoptif du père ou de la mère (page 3)**

Numéro de dossier du greffe

10. J'ai également veillé à ce que la père ou la mère, ou les deux, reçoivent des conseils juridiques indépendants de *(nom de l'avocat ou des avocats)*
11. Au mieux de ma connaissance, personne n'a fait, reçu, ni accepté de faire ou de recevoir un paiement ou une récompense de n'importe quelle sorte en ce qui concerne, selon le cas :
- a) l'adoption de l'enfant;
 - b) le placement de l'enfant en vue de son adoption;
 - c) un consentement à l'adoption de l'enfant;
 - d) des négociations entreprises ou des mesures prises dans le dessein de faire adopter l'enfant,
- à l'exclusion toutefois de ce qu'autorisant la *Loi sur les services à l'enfance et à la famille* et ses règlements d'application.

Déclaré sous serment/Affirmé solennellement devant moi à municipalité

à/en/au province, État ou pays

le date

Commissaire aux affidavits
(Dactylographiez le nom ou écrivez-le en caractères d'imprimerie
ci-dessous si la signature est illisible.)

Signature

((La présente formule doit être signée en présence d'un avocat, d'un juge de paix, d'un notaire ou d'un commissaire aux affidavits.))

Numéro de dossier du greffe

(Nom du tribunal)

situé(e) au

Adresse du greffe

Formule 34I :
Consentement du père ou
de la mère à l'adoption
par le conjoint

Requérant(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant)	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).
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Intimé(e)(s) [Remarque : Dans certaines causes d'adoption, il se peut qu'il n'y ait aucun intimé officiel.]

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).
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1. Je m'appelle (nom et prénom officiels)
Je suis né(e) le (date de naissance) et j'habite
au (adresse du domicile)

2. Le requérant est mon «conjoint» au sens de la partie VII de la Loi sur les services à l'enfance et à la famille.

3. Je suis le père ou la mère de l'enfant au sens de la partie VII de la Loi sur les services à l'enfance et à la famille parce que je suis (cochez le case appropriée ci-dessous.)

☐ la mère de l'enfant.

☐ le père de l'enfant.

☐ la personne qui est présumée être le père de l'enfant aux termes de l'article 8 de la Loi portant réforme du droit de l'enfance.

☐ la personne qui a la garde légitime de l'enfant.

☐ la personne qui, au cours des 12 mois avant que l'enfant ne soit placé en vue de son adoption, a manifesté l'intention bien arrêtée de traiter l'enfant comme s'il s'agissait d'un membre de sa famille.

☐ la personne qui, au cours des 12 mois avant que

l'enfant ne soit placé en vue de son adoption, a reconnu le lien de filiation qui l'unit à l'enfant et a subvenu à ses besoins.

☐ la personne qui est tenue de subvenir aux besoins de l'enfant, s'en est vu accorder la garde ou possède un droit de visite à son égard aux termes d'un accord écrit ou d'une ordonnance du tribunal.

☐ la personne qui a reconnu le lien de filiation qui l'unit à l'enfant aux termes de l'article 12 de la Loi portant réforme du droit de l'enfance.

4. Je consens à l'adoption de (nom et prénom officiels de l'enfant)
par mon conjoint.

5. Je comprends la nature et l'effet du présent consentement. Je comprends que je peux le retirer dans les 21 jours en déposant un avis de retrait par écrit au bureau de la société d'aide à l'enfance situé au (adresse)

6. Je comprends que, une fois les 21 jours écoulés, je ne pourrai pas retirer le présent consentement sans la
- Suite à la page suivante ➡
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**Formule 34J : Consentement du père ou de la mère à l'adoption
par le conjoint (page 2)**

Numéro de dossier du greffe

permission du tribunal, et ce seulement si mon enfant n'a pas encore été placé en vue de son adoption et que je peux prouver qu'il est dans son intérêt véritable de retirer le présent consentement.

7. Je comprends la nature d'une ordonnance d'adoption et le fait que, si une telle ordonnance était rendue, mon conjoint s e joindrait à moi dans le rôle de père ou mère et, ensemble, nous serions les seuls père et mère légitimes de l'enfant. Un e ordonnance d'adoption m'obligerait à partager mes droits et responsabilités parentaux avec mon conjoint de façon égale et en permanence jusqu'à ce qu'un tribunal n'ordonne autrement.
8. J'ai eu l'occasion de recevoir des conseils professionnels à l'égard du présent consentement.
9. J'ai reçu des conseils juridiques indépendants à l'égard du présent consentement.

Signature du père ou de la mère_____
Date des signatures_____
Signature d'un avocat indépendant

REMARQUE : Le présent consentement doit être signé en présence d'un avocat indépendant qui doit fournir ci-dessous un affidavit de témoin à la signature attestant la fourniture de conseils juridiques indépendants. Si la personne qui donne son consentement a moins de 18 ans, le consentement doit également être accompagné d'un certificat de l'avocat des enfants selon la formule 34J.

**AFFIDAVIT DE TÉMOIN À LA SIGNATURE ATTESTANT LA FOURNITURE DE CONSEILS
JURIDIQUES INDÉPENDANTS**

Je m'appelle (nom et prénom officiels)

et je déclare sous serment/j'affirme solennellement que les renseignements suivants sont véridiques :

1. Je suis membre du Barreau de (nom du territoire de compétence)
et je ne représente personne d'autre dans cette cause d'adoption.
2. J'ai expliqué ce qui suit à (nom et prénom officiels du père ou de la mère) :
- ☐ la nature et l'effet d'une adoption selon le droit de l'Ontario;
 - ☐ la nature et l'effet du présent consentement;
 - ☐ les circonstances dans lesquelles le présent consentement peut être retiré;
 - ☐ la nature et le fonctionnement du registre de divulgation des renseignements sur les adoptions de l'Ontario;
 - ☐ le droit de recevoir des conseils professionnels.
3. Après mon explication, la personne m'a dit qu'elle voulait signer le présent consentement.
4. J'étais présent(e) lorsque la personne a signé le présent consentement et je l'ai signé comme témoin.

Déclaré sous serment/Affirmé solennellement devant moi à
municipalitéà/en/au
province, État ou paysle
date

Commissaire aux affidavits
(Dactylographiez le nom ou écrivez-le en caractères d'imprimerie
ci-dessous si la signature est illisible.)

Signature

(Le présente formule doit être signée en
présence d'un avocat, d'un juge de paix, d'un
notaire ou d'un commissaire aux affidavits.)

Numéro de dossier du greffe

(Nom du tribunal)

situé(e) au

Adresse du greffe

Formule 34J : Affidavit de témoin à la signature attestant la fourniture de conseils juridiques indépendants (avocat des enfants)

Je m'appelle (nom et prénom officiels)

et je déclare sous serment/l'affirme solennellement que les renseignements suivants sont véridiques :

1. Je suis un(e) représentant(e) autorisé(e) du Bureau de l'avocat des enfants dans l'adoption de :

Nom et prénom officiels de l'enfant ou des enfants	Date de naissance (j,m,a)

2. J'ai expliqué ce qui suit à (nom et prénom officiels du père ou de la mère mineur)

- ☐ la nature et l'effet d'une adoption selon le droit de l'Ontario;
☐ la nature et l'effet d'un consentement à l'adoption;
☐ le droit de recevoir des conseils professionnels;
☐ la nature et le fonctionnement du registre de divulgation des renseignements sur les adoptions de l'Ontario;
☐ le droit, sur demande, d'être informé si une ordonnance d'adoption a été rendue,

dans un langage adapté à son âge au mieux de ma connaissance et de ma compétence.

3. Je lui ai également expliqué qu'il ou elle pouvait retirer son consentement dans les 21 jours au moyen d'un avis écrit à cet effet. Je lui ai donné l'adresse du bureau de la société d'aide à l'enfance où cet avis écrit devrait être déposé. Je lui ai expliqué qu'une fois les 21 jours écoulés, il ou elle ne pourrait retirer le consentement qu'avec la permission du tribunal, mais seulement si l'enfant n'avait pas encore été adopté et qu'il ou elle pouvait convaincre le tribunal qu'il serait dans l'intérêt véritable de l'enfant de retirer le consentement.

4. Après mon explication, la personne m'a dit qu'elle voulait signer le consentement à l'adoption.

5. J'étais présent(e) lorsque la personne a signé le consentement et je l'ai signé comme témoin.

Déclaré sous serment/Affirmé solennellement devant moi à

municipalité

à/en/au
 province, État ou pays

le
 date

Commissaire aux affidavits

(Dactylographiez le nom ou écrivez-le en caractères d'imprimerie
 ci-dessous si la signature est illisible.)

Signature

(La présente formule doit être signée en présence d'un avocat, d'un juge de paix, d'un notaire ou d'un commissaire aux affidavits.)

Numéro de dossier du greffe

(Nom du tribunal)

**Formule 34K : Attestation
du greffier (adoption)**at _____
Adresse du greffe**Requérant(e)(s)**

<p><i>Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>	<p><i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>
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Intimé(e)(s) (Remarque : Dans certaines causes d'adoption, il se peut qu'il n'y ait aucun intimé officiel.)

<p><i>Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>	<p><i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>
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Si le case de gauche ne peut être cochée, cochez celle de droite et expliquez pourquoi.

Le greffier du tribunal atteste ce qui suit :

Raison

1. DOCUMENTS COMMUNS À TOUTES LES CAUSES D'ADOPTION

- | | |
|--|---|
| <p>a) <input type="checkbox"/> Une requête en adoption (formule 8D des Règles en matière de droit de la famille) a été déposée.</p> <p>b) <input type="checkbox"/> Une copie certifiée conforme de la déclaration de naissance vivante a été déposée (formule 2 du règlement d'application de la <i>Loi sur les statistiques de l'état civil</i>).</p> <p style="padding-left: 20px;"><input type="checkbox"/> Une copie certifiée conforme de changement de l'enregistrement de naissance a été déposée (formule 2 du règlement d'application de la <i>Loi sur les statistiques de l'état civil</i>).</p> <p style="padding-left: 20px;"><input type="checkbox"/> Une preuve équivalente des détails de la naissance a été déposée.</p> <p>c) <input type="checkbox"/> La personne à adopter a 7 ans ou plus et a déposé un consentement à l'adoption (formule 34 des Règles en matière de droit de la famille).</p> <p style="padding-left: 20px;"><input type="checkbox"/> Une ordonnance du tribunal dispensant du consentement de la personne à adopter a été déposée.</p> <p>d) <input type="checkbox"/> Un affidavit de filiation a été déposé (formule 34A des Règles en matière de droit de la famille).</p> <p style="padding-left: 20px;"><input type="checkbox"/> Une autre preuve de filiation a été déposée.</p> <p>e) <input type="checkbox"/> Un rapport sur la façon dont l'enfant s'adapte au domicile du/de la requérant(e) :</p> <p style="padding-left: 40px;"><input type="checkbox"/> est exigé par la Loi (lorsque l'enfant a été « placé » en vue de son adoption par l'intermédiaire du titulaire d'un permis, d'une société ou autrement). Ce rapport a été déposé.</p> <p style="padding-left: 40px;"><input type="checkbox"/> a été ordonné par le tribunal dans le cas d'une adoption par le conjoint du père ou de la mère ou par un parent. Ce rapport a été déposé.</p> <p style="padding-left: 40px;"><input type="checkbox"/> n'a pas été exigé dans cette cause.</p> | <p>1a) <input type="checkbox"/></p> <p>1b) <input type="checkbox"/></p> <p>1c) <input type="checkbox"/></p> <p>1d) <input type="checkbox"/></p> <p>1e) <input type="checkbox"/></p> |
|--|---|

Suite à la page suivante ➡

Formule 34K : Attestation du greffier (adoption) (page 2)

Numéro de dossier du greffe

		Raison
f)	<input type="checkbox"/> La requérant a un «conjoint» qui n'est pas un «père» ou une «mère» et qui n'est pas partie à la requête. Le consentement du conjoint (formule 34B des Règles en matière de droit de la famille) a été déposé. <input type="checkbox"/> Une ordonnance du tribunal dispensant du consentement du conjoint a été déposée, accompagnée de ce qui suit : (i) <input type="checkbox"/> une preuve de signification de cette ordonnance. (ii) <input type="checkbox"/> a une copie certifiée conforme d'une ordonnance dispensant de la signification.	1f) <input type="checkbox"/>
g)	<input type="checkbox"/> La déclaration (recommandations à l'appui) du directeur ou du directeur local au sujet de l'adoption (formule 34C des Règles en matière de droit de la famille) : <input type="checkbox"/> est exigée par la Loi (lorsque l'enfant a été «placé» en vue de son adoption par l'intermédiaire du titulaire d'un permis, d'une société ou autrement). Cette déclaration a été déposée. <input type="checkbox"/> a été ordonnée par le tribunal dans le cas d'une adoption par le conjoint du père ou de la mère ou par un parent. Cette déclaration a été déposée. <input type="checkbox"/> n'a pas été exigée dans cette cause.	1g) <input type="checkbox"/>
h)	<input type="checkbox"/> L'affidavit du père adoptif ou de la mère adoptive (formule 34D des Règles en matière de droit de la famille) a été déposé.	1h) <input type="checkbox"/>
i)	<input type="checkbox"/> Un projet d'ordonnance d'adoption (formule 25C des Règles en matière de droit de la famille) a été déposé.	1i) <input type="checkbox"/>
j)	<input type="checkbox"/> Il s'agit d'une requête conjointe des conjoints et : (i) <input type="checkbox"/> un certificat du mariage des requérants a été déposé. (ii) <input type="checkbox"/> une autre preuve du statut conjugal des requérants a été déposée.	1j) <input type="checkbox"/>
k)	<input type="checkbox"/> (Autre. Précisez.)	1k) <input type="checkbox"/>
 2. DOCUMENTS SUPPLÉMENTAIRES À L'APPUI DES ADOPTIONS DE PUPILLES DE LA COURONNE		
a)	<input type="checkbox"/> Le consentement du directeur à l'adoption (formule 34E des Règles en matière de droit de la famille) a été déposé.	2a) <input type="checkbox"/>
b)	<input type="checkbox"/> Il n'existe aucune ordonnance de visite à l'égard de ce pupille de la Couronne. <input type="checkbox"/> Une copie certifiée conforme d'une ordonnance mettant fin au droit de visite à ce pupille de la Couronne a été déposée, accompagnée de ce qui suit : (i) <input type="checkbox"/> une preuve de signification de cette ordonnance. (ii) <input type="checkbox"/> une copie certifiée conforme d'une ordonnance dispensant de la signification.	2b) <input type="checkbox"/>
c)	<input type="checkbox"/> Une copie certifiée conforme de l'ordonnance de tutelle par la Couronne a été déposée, accompagnée de ce qui suit : (i) <input type="checkbox"/> une preuve de signification de cette ordonnance. (ii) <input type="checkbox"/> une copie certifiée conforme d'une ordonnance dispensant de la signification.	2c) <input type="checkbox"/>
d)	<input type="checkbox"/> Un affidavit du directeur local a été déposé, selon lequel aucun appel des ordonnances mentionnées aux alinéas b) et c) ci-dessus n'a été interjeté ou selon lequel le délai d'appel a expiré.	2d) <input type="checkbox"/>
e)	<input type="checkbox"/> (Autre. Précisez.)	2e) <input type="checkbox"/>
 3. DOCUMENTS SUPPLÉMENTAIRES À L'APPUI DE L'ADOPTION D'UN ENFANT AUTRE QU'UN PUPILLE PAR L'INTERMÉDIAIRE D'UN TITULAIRE DE PERMIS OU D'UNE SOCIÉTÉ		
a)	<input type="checkbox"/> L'enfant a été placé par la société d'aide à l'enfance. <input type="checkbox"/> L'enfant a été placé par un titulaire de permis dans le délai prévu par son permis, dont une copie a été déposée.	3a) <input type="checkbox"/>
b)	<input type="checkbox"/> Un affidavit (formule 34G des Règles en matière de droit de la famille) du titulaire de permis ou d'un employé autorisé de la société d'aide à l'enfance a été déposé.	3b) <input type="checkbox"/>

Suite à la page suivante ➡

Formule 34K : Attestation du greffier (adoption) (page 3)

Numéro de dossier du greffe

		Raison
c)	<input type="checkbox"/> La personne qui dépose l'affidavit n'a connaissance d'aucune ordonnance de garde ou de visite à l'égard de l'enfant. <input type="checkbox"/> Une copie certifiée conforme de l'ordonnance ou des ordonnances de garde ou de visite à l'égard de l'enfant a été déposée, accompagnée de ce qui suit : (i) <input type="checkbox"/> une preuve de signification de cette ordonnance. (ii) <input type="checkbox"/> une copie certifiée conforme d'une ordonnance dispensant de la signification.	3c) <input type="checkbox"/>
d)	<input type="checkbox"/> Un consentement (formule 34F des Règles en matière de droit de la famille) de la mère de l'enfant à l'adoption a été déposé. <input type="checkbox"/> Le consentement, signé par la mère lorsqu'elle avait moins de 18 ans, est accompagné d'une attestation de l'avocat des enfants (formule 34J des Règles en matière de droit de la famille). <input type="checkbox"/> La mère de l'enfant a déposé une formule de consentement émanant de l'extérieur de l'Ontario qui est accompagnée de ce qui suit : (i) <input type="checkbox"/> une traduction certifiée conforme du document en français ou en anglais. (ii) <input type="checkbox"/> un affidavit d'un avocat indiquant que le consentement de la mère est conforme aux lois du territoire où elle l'a donné. <input type="checkbox"/> Une copie certifiée conforme d'une ordonnance dispensant du consentement de la mère a été déposée, accompagnée d'une preuve de signification de l'ordonnance.	3d) <input type="checkbox"/>
e)	<input type="checkbox"/> Un consentement (formule 34F des Règles en matière de droit de la famille) du père biologique de l'enfant à l'adoption a été déposé. <input type="checkbox"/> Le consentement, signé par le père lorsqu'il avait moins de 18 ans, est accompagné d'une attestation de l'avocat des enfants (formule 34J des Règles en matière de droit de la famille). <input type="checkbox"/> Le père biologique de l'enfant a déposé une formule de consentement émanant de l'extérieur de l'Ontario qui est accompagnée de ce qui suit : (i) <input type="checkbox"/> une traduction certifiée conforme du document en français ou en anglais. (ii) <input type="checkbox"/> un affidavit d'un avocat indiquant que le consentement du père biologique est conforme aux lois du territoire où il l'a donné. <input type="checkbox"/> Une copie certifiée conforme d'une ordonnance dispensant du consentement du père biologique a été déposée, accompagnée d'une preuve de signification de l'ordonnance. <input type="checkbox"/> Le tribunal a décidé que le père biologique n'a pas la qualité de «père» au sens de la partie VII de la <i>Loi sur les services à l'enfance et à la famille</i> .	3e) <input type="checkbox"/>
f)	<input type="checkbox"/> Un consentement (formule 34F des Règles en matière de droit de la famille) à l'adoption de toute autre personne qui est un «père» ou une «mère» au sens de la partie VII de la <i>Loi sur les services à l'enfance et à la famille</i> a été déposé. <input type="checkbox"/> Le consentement, signé par l'autre «père» ou «mère» lorsqu'il ou elle avait moins de 18 ans, est accompagné d'une attestation de l'avocat des enfants (formule 34J des Règles en matière de droit de la famille). <input type="checkbox"/> L'autre «père» ou «mère» a déposé une formule de consentement émanant de l'extérieur de l'Ontario qui est accompagnée de ce qui suit : (i) <input type="checkbox"/> une traduction certifiée conforme du document en français ou en anglais. (ii) <input type="checkbox"/> un affidavit d'un avocat indiquant que le consentement de l'autre «père» ou «mère» est conforme aux lois du territoire où il ou elle l'a donné. <input type="checkbox"/> Une copie certifiée conforme d'une ordonnance dispensant du consentement de l'autre «père» ou «mère» a été déposée, accompagnée d'une preuve de signification de l'ordonnance.	3f) <input type="checkbox"/>
g)	<input type="checkbox"/> (Autre. Précisez.)	3g) <input type="checkbox"/>

4. DOCUMENTS SUPPLÉMENTAIRES À L'APPUI D'UNE ADOPTION PAR UN PARENT OU PAR LE CONJOINT DU PÈRE OU DE LA MÈRE

- a) ☐ Aucune ordonnance de garde ou de visite n'a été rendue à l'égard de l'enfant. 4a) ☐
- ☐ Une copie certifiée conforme de l'ordonnance ou des ordonnances de garde ou de visite à l'égard de l'enfant a été déposée, accompagnée de ce qui suit :
- (i) ☐ une preuve de signification de cette ordonnance.
- (ii) ☐ une copie certifiée conforme d'une ordonnance dispensant de la signification.

Suite à la page suivante ➡

Formule 34K : Attestation du greffier (adoption) (page 4)

Numéro de dossier du greffe

		<i>Raison</i>
b)	<input type="checkbox"/> Un consentement (formule 34F des Règles en matière de droit de la famille) de la mère de l'enfant à l'adoption a été déposé. <input type="checkbox"/> Le consentement, signé par la mère lorsqu'elle avait moins de 18 ans, est accompagné d'une attestation de l'avocat des enfants (formule 34J des Règles en matière de droit de la famille). <input type="checkbox"/> La mère de l'enfant a déposé une formule de consentement émanant de l'extérieur de l'Ontario qui est accompagnée de ce qui suit : (i) <input type="checkbox"/> une traduction certifiée conforme du document en français ou en anglais. (ii) <input type="checkbox"/> un affidavit d'un avocat indiquant que le consentement de la mère est conforme aux lois du territoire où elle l'a donné. <input type="checkbox"/> Une copie certifiée conforme d'une ordonnance dispensant du consentement de la mère a été déposée, accompagnée d'une preuve de signification de l'ordonnance.	4b) <input type="checkbox"/>
c)	<input type="checkbox"/> Un consentement (formule 34F des Règles en matière de droit de la famille) du père biologique de l'enfant à l'adoption a été déposé. <input type="checkbox"/> Le consentement, signé par le père lorsqu'il avait moins de 18 ans, est accompagné d'une attestation de l'avocat des enfants (formule 34J des Règles en matière de droit de la famille). <input type="checkbox"/> Le père biologique de l'enfant a déposé une formule de consentement émanant de l'extérieur de l'Ontario qui est accompagnée de ce qui suit : (i) <input type="checkbox"/> une traduction certifiée conforme du document en français ou en anglais. (ii) <input type="checkbox"/> un affidavit d'un avocat indiquant que le consentement du père biologique est conforme aux lois du territoire où il l'a donné. <input type="checkbox"/> Une copie certifiée conforme d'une ordonnance dispensant du consentement du père biologique, accompagnée d'une preuve de signification de l'ordonnance. <input type="checkbox"/> Le tribunal a décidé que le père biologique n'a pas la qualité de «père» au sens de la partie VII de la <i>Loi sur les services à l'enfance et à la famille</i> .	4c) <input type="checkbox"/>
d)	<input type="checkbox"/> Un consentement (formule 34F des Règles en matière de droit de la famille) à l'adoption de toute autre personne qui est un «père» ou une «mère» au sens de la partie VII de la <i>Loi sur les services à l'enfance et à la famille</i> a été déposé. <input type="checkbox"/> Le consentement, signé par l'autre «père» ou «mère» lorsqu'il ou elle avait moins de 18 ans, est accompagné d'une attestation de l'avocat des enfants (formule 34J des Règles en matière de droit de la famille). <input type="checkbox"/> L'autre «père» ou «mère» a déposé une formule de consentement émanant de l'extérieur de l'Ontario qui est accompagnée de ce qui suit : (i) <input type="checkbox"/> une traduction certifiée conforme du document en français ou en anglais. (ii) <input type="checkbox"/> un affidavit d'un avocat indiquant que le consentement de l'autre «père» ou «mère» est conforme aux lois du territoire où il ou elle l'a donné. <input type="checkbox"/> Une copie certifiée conforme d'une ordonnance dispensant du consentement de l'autre «père» ou «mère» a été déposée, accompagnée d'une preuve de signification de l'ordonnance.	4d) <input type="checkbox"/>
e)	<input type="checkbox"/> L'affidavit (formule 34H des Règles en matière de droit de la famille) du conjoint du père ou de la mère ou de chaque parent adoptif a été déposé.	4e) <input type="checkbox"/>
f)	<input type="checkbox"/> Il s'agit d'une adoption par le conjoint du père ou de la mère et le conjoint du père adoptif ou de la mère adoptive a déposé un consentement (formule 34I des Règles en matière de droit de la famille).	4f) <input type="checkbox"/>
g)	<input type="checkbox"/> (Autre. Précisez.)	4g) <input type="checkbox"/>

Signature du greffier du tribunal

Date de la signature

Numéro de dossier du greffe

(Nom du tribunal)

.....
Formule 36 :
Affidavit de divorce

situé(e) au

Adresse du greffe

Requérant(e)

<i>Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i>	<i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i>

Intimé(e)(s)

<i>Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i>	<i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i>

Je m'appelle (nom et prénom officiels)

J'habite à (municipalité et province)

et je déclare sous serment/j'affirme solennellement que les renseignements suivants sont véridiques :

1. Je suis le/la requérant(e) dans cette cause de divorce.
2. Il n'existe aucune possibilité de réconciliation entre l'intimé(e) et moi-même.
3. Tous les renseignements contenus dans la requête qui fait l'objet de cette cause sont exacts, à l'exception de ce qui suit :
(Indiquez les corrections ou modifications apporter aux renseignements. Écrivez «AUCUNE» s'il n'y a pas de correction ou de modification à apporter.)
4. ☐ Le certificat ou l'enregistrement de mon mariage avec l'intimé(e) porte la signature et le sceau du registraire général de l'état civil de l'Ontario et :
 - ☐ a été déposé avec la requête.
 - ☐ est joint au présent affidavit.☐ Le certificat de mon mariage avec l'intimé(e) a été délivré à l'extérieur de l'Ontario. Il est intitulé (titre du certificat) Il a été délivré à (lieu) le (date) par (nom et titre de la personne qui l'a délivré) et les renseignements qu'il contient sur mon mariage sont exacts.
 - ☐ Je n'ai pas réussi à obtenir de certificat de mariage ou d'enregistrement de mariage. J'ai marié l'intimé(e) le (date) à (lieu) Le mariage a été célébré par (nom et titre) , qui était autorisé à célébrer les mariages à cet endroit.
5. Le fondement juridique du divorce est le suivant :
 - ☐ l'intimé(e) et moi-même sommes séparés depuis au moins un an. Nous nous sommes séparés le (date)
 - ☐ (Autre. Précisez.)

Suite à la page suivante ➡

Formule 36 : Affidavit de divorce (page 2)

Numéro de dossier du greffe

6. Je ne suis pas au courant, dans cette cause de divorce, ni n'y suis une partie, d'un arrangement visant à fabriquer ou à supprimer des éléments de preuve ou à tromper le tribunal.

Biffez les points suivants s'ils ne s'appliquent pas

7. Je ne désire pas présenter de demande de partage des biens dans cette cause de divorce. Je comprends que je pourrais ne pas être autorisé(e) à en présenter une après le divorce.
8. Je désire que l'ordonnance de divorce comprenne les numéros de disposition suivants du consentement, du règlement amiable, de l'accord de séparation ou de l'ordonnance antérieure du tribunal qui est ci-joint : *(Indiquez les numéros des dispositions que vous désirez voir inclure dans l'ordonnance de divorce.)*

9. Les (nombre) enfants suivants sont issus du mariage :

Nom et prénom officiels de l'enfant	Date de naissance (j,m,a)

10. Les arrangements quant à la garde et au droit de visite sont les suivants : *(Résumez.)*

.....

.....

.....

.....

.....

.....

.....

11. Voici les arrangements qui ont été pris en ce qui concerne les aliments pour les enfants issus du mariage :

- a) Le revenu de la partie qui verse les aliments est de \$ par année.
- b) Les aliments son censés être versés pour (nombre) enfants.
- c) La somme qui devrait être versée selon l'adable applicable des lignes directrices sur les aliments pour les enfants est de \$ par mois.
- d) La somme qui est effectivement versée est de \$ par mois.
- (REMARQUE : Si les sommes qui figurent aux points c) et d) sont différentes, veuillez remplir la page suivante. Si elles sont les mêmes, passez directement au point 12.)*

Suite à la page suivante ➡

Formule 36 : Affidavit de divorce (page 3)

Numéro de dossier du greffe

(Suite du point 11)

Donnez les renseignements ci-dessous uniquement si les sommes qui figurent aux points 11 c) et 11 d) sont différentes. Si elles sont les mêmes, passez directement au point 12.

- a) Les aliments pour les enfants sont déjà prévus par :
- (i) ☐ une ordonnance du tribunal datée du (date) qui a été rendue avant l'entrée en vigueur des lignes directrices sur les aliments pour les enfants, c'est-à-dire avant le 1^{er} mai 1997. Je joins une copie de l'ordonnance.
 - (ii) ☐ un contrat familial daté du (date) qui a été conclu avant l'entrée en vigueur des lignes directrices sur les aliments pour les enfants, c'est-à-dire avant le 1^{er} mai 1997. Je joins une copie du contrat.
 - (iii) ☐ une ordonnance du tribunal ou un accord écrit daté du (date) qui a été rendue ou conclu, selon le cas, après l'entrée en vigueur des lignes directrices et qui comporte certains avantages directs ou indirects pour les enfants. J'en joins une copie.
 - (iv) ☐ un consentement écrit daté du (date) par lequel les parties se sont entendues sur une somme différente de celle qui figure dans les lignes directrices.
- b) Les dispositions pertinentes de cette ordonnance ou de cet accord exigent des aliments pour les enfants de \$ par
- c) Ces dispositions relatives aux aliments pour les enfants
- ☐ ne sont pas indexées au coût de la vie.
 - ☐ sont indexées selon (Indiquez la formule d'indexation.)
- d) Ces dispositions relatives aux aliments pour les enfants
- ☐ n'ont pas été modifiées depuis que l'ordonnance a été rendue ou que l'accord a été conclu.
 - ☐ ont été modifiées le (Indiquez la date et la nature des changements.)
- e) (Si vous avez coché la case (i) ci-dessus, passez au point 12. Si vous avez coché la case (ii), (iii) ou (iv), donnez les précisions demandées à la case correspondante ci-dessous. Par exemple, si vous avez coché la case (iii), veuillez donner les précisions demandées à côté de la case (iii) ci-dessous.)
- (ii) ☐ La somme que prévoit l'accord constitue un arrangement juste et raisonnable pour les enfants parce que : (Donnez les raisons.)
 - (iii) ☐ L'ordonnance ou l'accord comporte des avantages directs ou indirects pour les enfants parce que : (Précisez les avantages.)
 - (iv) ☐ La somme sur laquelle les parties se sont entendues est raisonnable pour les enfants parce que : (Donnez les raisons.)

Suite à la page suivante ➡

Formule 36 : Affidavit de divorce (page 4)

Numéro de dossier du greffe

12. Je demande mes dépens dans cette cause. Les précisions sur cette demande sont les suivantes : *(Précisez.)*

13. La dernière adresse de l'intimé(e), à ma connaissance, est la suivante : *(Indiquez l'adresse.)*

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page

Déclaré devant moi à
municipalité

à/en/au
province, État ou pays

le
date

Commissaire aux affidavits
*(Dactylographiez le nom ou écrivez-le en caractères d'imprimerie
ci-dessous si la signature est illisible.)*

Signature

(La présente formule doit être signée en présence d'un avocat, d'un juge de paix, d'un notaire ou d'un commissaire aux affidavits.)

Numéro de dossier du greffe

(Nom du tribunal)

**Formule 36A : Attestation
du greffier (divorce)**

situé(e) au

Adresse du greffe

Nom de famille

du/de la requérant(e) :

Nom de famille

de l'intimé(e) :

Si la case de gauche ne peut être cochée, cochez celle de droite et expliquez pourquoi.

Le greffier du tribunal atteste ce qui suit :

Cochez s'il y a lieu et remplissez le
reste de l'attestation comme si le
divorce avait été demandé par le/la
requérant(e).

☐ Divorce demandé seulement par l'intimé(e).

Raison

1. RENSEIGNEMENTS PRÉLIMINAIRES

- a) ☐ Aucune défense n'a été déposée
☐ La défense a été retirée — Onglet ou page numéro du dossier continu
☐ Une ordonnance a été rendue le (date), conformément
au paragraphe 12 (6), séparant la question du divorce du reste de la cause — Onglet ou page
numéro, du dossier continu
☐ La défense a été radiée par une ordonnance datée du
— Onglet ou page numéro du dossier continu
☐ Requête conjointe — aucun(e) intimé(e) officiel(le)
b) ☐ Certificat de mise à jour du Bureau d'enregistrement des actions en divorce

1a) ☐1b) ☐**2. PREUVE DE SIGNIFICATION**

- ☐ Affidavit de signification
☐ Dépôt d'un accusé de réception signé de la signification
☐ Requête conjointe — aucune signification nécessaire

2 ☐**3. MODE DE SIGNIFICATION**

- ☐ Copie remise au destinataire
☐ Copie remise à l'avocat du destinataire
☐ Copie envoyée par la poste au destinataire et accusé de réception signé par lui
☐ Copie remise à un résident adulte du domicile du destinataire et autre copie envoyée par la
poste
☐ Accusé de réception de la signification signé et déposé
☐ (Autre. Précisez.)
La signification s'est faite à/en/au (province ou pays)
La signification a eu lieu le (date)

3 ☐**4. MOTIFS DE DIVORCE**

- ☐ Séparation depuis le (date), affidavit
fait sous serment plus d'un an après la séparation.
☐ Adultère
☐ Cruauté

4 ☐**5. RÉSIDENCE EN ONTARIO**

- Il devrait être indiqué dans la requête qu'au moins un conjoint doit avoir été un résident de l'Ontario pendant au
moins un an
☐ L'épouse réside en Ontario depuis le (date)
☐ L'époux réside en Ontario depuis le (date)

5 ☐**6. DEMANDES DE REDRESSEMENT**

- ☐ Demande de divorce seulement
☐ Demande d'aliments pour les enfants [précisions au point 9 ci-dessous]
☐ Demande de garde ou de droit de visite — précisions dans la requête
☐ Demande d'aliments pour le conjoint — précisions dans la requête

6 ☐

Suite à la page suivante ➡

Formule 36A : Attestation du greffier (divorce) (page 2)

Numéro de dossier du greffe

Raison

- ☐ Demande portant sur des biens — précisions dans la requête
- ☐ Demande d'inclusion de dispositions d'un consentement, d'un accord ou d'une ordonnance antérieure du tribunal — précisions dans la requête
- ☐ costs

7. PREUVE DE MARIAGE

7 ☐

- Le mariage a eu lieu ☐ au Canada ☐ à l'étranger
- ☐ Certificat ou enregistrement de mariage déposé — les renseignements concordent avec ceux figurant dans la requête — Onglet ou page numéro du dossier continu
 - ☐ Aucun certificat — les renseignements sur le mariage sont énoncés dans un affidavit - Onglet ou page numéro du dossier continu
 - ☐ Certificat antérieur de divorce ou de décès déposé — Onglet ou page numéro du dossier continu

8. AFFIDAVITS

8 ☐

- ☐ Affidavit du/de la requérant(e) — Onglet ou page numéro du dossier continu
- ☐ Affidavit de l'intimé(e) — Onglet ou page numéro du dossier continu
- ☐ Affidavit de (nom)
— Onglet ou page numéro du dossier continu
- ☐ L'affidavit est conforme à la formule 35 et est dûment rempli — Onglet ou page numéro du dossier continu

9. ENFANTS

9 ☐

- ☐ Aucun enfant n'est issu du mariage
- ☐ Des enfants sont issus du mariage
- ☐ Renseignements fournis concernant les lignes directrices sur les aliments pour les enfants — Onglet ou page numéro du dossier continu
 - ☐ revenu du payeur ou de la payeuse
 - ☐ montant figurant à la table
 - ☐ revenu du/de la bénéficiaire *[EXIGÉ pour les dépenses spéciales (suppléments), la garde exclusive, la garde partagée, les cas où le payeur ou la payeuse est le conjoint du père ou de la mère, où l'enfant a plus de 18 ans, où le revenu du payeur ou de la payeuse est supérieur à 150 000 \$, une demande pour difficultés excessives]*
 - ☐ précisions sur les dépenses spéciales (suppléments)
 - ☐ accord ou consentement avec une explication de la demande d'un montant inférieur à celui prévu à la table

10. PROJET D'ORDONNANCE

10 ☐

- Les documents suivants ont été déposés :
- ☐ 3 copies du projet d'ordonnance — aucune demande d'aliments
 - ☐ 4 copies du projet d'ordonnance + 2 projets d'ordonnance de retenue des aliments — demande d'aliments
 - ☐ Enveloppe affranchie pour chaque partie
 - ☐ L'adresse aux fins de signification de l'ordonnance à l'intimé(e) est la même que celle figurant :
 - ☐ dans la requête
 - ☐ dans les documents déposés par l'intimé(e)
 - ☐ dans l'affidavit du/de la requérant(e)
 - ☐ Projet d'ordonnance libellé comme la requête
 - ☐ Projet d'ordonnance libellé comme le consentement / procès-verbal du règlement amiable ou l'accord déposé — Onglet ou page numéro du dossier continu
 - ☐ Demande de prise d'effet anticipée du divorce; dépôt d'accords et d'engagements de non-interjection d'appel — Onglet ou page numéro du dossier continu

Formule 36A : Attestation du greffier (divorce) (page 3)

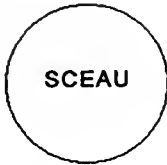
Numéro de dossier du greffe

Raison

11. AVIS AU/À LA REQUÉRANT(E)11 ☐

- ☐ Le/La requérant(e) a été avisé(e) des raisons énumérées ci-dessus, mais demande à présenter des pièces au juge malgré elles.

*Signature du greffier du tribunal*_____
Date de la signature



(Nom du tribunal)

Numéro de dossier du greffe _____

situé(e) au _____
Adresse du greffe

Formule 36B :
Certificat de divorce

Requérant(e)

<p><i>Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>	<p><i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>
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Intimé(e)(s)

<p><i>Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>	<p><i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>
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J'ATTESTE QUE le mariage de *(nom et prénom officiels des conjoints)*

qui a été célébré à *(lieu)*

le *(date)*

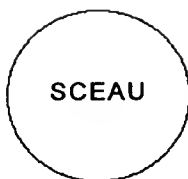
a été dissous par une ordonnance que ce tribunal a rendue le *(date de l'ordonnance de divorce)*

Le divorce a pris effet le *(date de prise d'effet de l'ordonnance)*

Signature du greffier du tribunal

Date de la signature

REMARQUE : Le présent certificat ne peut être délivré qu'à la date de prise d'effet du divorce ou après cette date.



(Nom du tribunal)

Numéro de dossier du greffe

at _____
Adresse du greffe

Formula 37 : Avis
d'audience
d'homologation

Raquéran(t)(e)(s)

<p><i>Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant)..</i></p>	<p><i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>
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Intimé(e)(s)

<p><i>Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>	<p><i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>
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AUX INTIMÉ(E)S :

LE TRIBUNAL TIENDRA UNE AUDIENCE le (date)
à (heure), ou dès que possible par la suite, au (lieu de l'audience)

☐ Une ordonnance ☐ Une modification d'une ordonnance conditionnelle

a été rendue contre vous ☐ ailleurs en Ontario ☐ à l'extérieur de l'Ontario
exigeant que vous payiez des aliments. Les précisions sont données dans les documents ci-joints.

Dans les 10 jours qui suivent la réception du présent avis, vous devez remplir un état financier (formule 13) et le déposer au greffe.

À l'audience, le tribunal homologuera l'ordonnance conditionnelle à moins que vous ne le convainquiez qu'elle ne devrait pas l'être ou qu'elle devrait l'être selon un montant différent. Vous pouvez vous présenter au tribunal avec votre avocat.

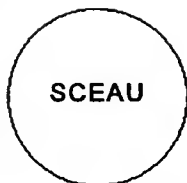
SI VOUS NE VOUS PRÉSENTEZ PAS À L'AUDIENCE, LE TRIBUNAL PEUT HOMOLOGUER L'ORDONNANCE CONDITIONNELLE SANS VOUS ET L'EXÉCUTER CONTRE VOUS.

Signature du greffier du tribunal

Date de la signature

REMARQUE : Si l'ordonnance conditionnelle a été rendue ailleurs en Ontario, une copie de la requête devrait être jointe au présent avis, ainsi qu'une copie de l'état financier du/de la requérant(e), une copie de l'ordonnance conditionnelle et une copie de la transcription du témoignage du/de la requérant(e). Devrait également être joint au présent avis un exemplaire de la formule 13 (*État financier*), que vous devez remplir, signifier et déposer. Vous pouvez effectuer la signification par n'importe laquelle des méthodes énoncées à la règle 6 des *Règles en matière de droit de la famille*, y compris par la poste, par messagerie et par télécopie.

Si l'un ou l'autre de ces documents n'est pas joint comme il se doit, communiquez avec le greffe le plus tôt possible.



(Nom du tribunal)

Numéro de dossier du greffe

situé(e) au _____
Adresse du greffe

Formule 37A : Feuille
de renseignements
(audience
d'homologation)

Requérant(e)(s)

<p><i>Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>	<p><i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>
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Intimé(e)(s)

<p><i>Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>	<p><i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>
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AUX REQUÉRANT(E)S :

Un avis d'audience d'homologation a été signifié à l'intimé(e) ou aux intimé(e)s.

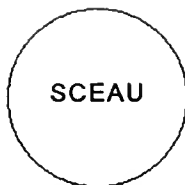
A Une copie de cet avis est jointe à la présente feuille. Elle vous est envoyée À TITRE DE RENSEIGNEMENT SEULEMENT.

VOUS N'AVEZ PAS À VOUS PRÉSENTER À L'AUDIENCE D'HOMOLOGATION OU À VOUS Y FAIRE REPRÉSENTER PAR UN AVOCAT.

Vous serez avisé(e)s des résultats de l'audience par l'intermédiaire du greffe de votre région. Si vous avez des questions, communiquez avec votre avocat ou le greffe de votre région.

Signature du greffier du tribunal

Date de la signature



(Nom du tribunal)

Numéro de dossier du greffe

situé(e) au _____
Adresse du greffe

.....
**Formule 37B : Avis
de demande de
preuves
additionnelles**

Requérant(e)(s)

<p><i>Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>	<p><i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>
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Intimé(e)(s)

<p><i>Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>	<p><i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>
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AUX REQUÉRANT(E)S :

LE TRIBUNAL TIENDRA UNE AUDIENCE le (date)
à (heure), ou dès que possible par la suite, au (lieu de l'audience)

- ☐ L'ordonnance conditionnelle dans cette cause
- ☐ La modification de l'ordonnance conditionnelle rendue par (nom du tribunal d'homologation)
le (date)
a été portée devant un juge du/de la (nom du tribunal)
- ☐ L'intimé(e) a présenté au/à la (nom du tribunal)
une requête en modification de l'ordonnance rendue le (date)
par le/la (nom du tribunal)

Cet autre tribunal a décidé de vous donner l'occasion de présenter d'autres preuves et a en conséquence renvoyé cette cause à ce tribunal. Les précisions sont données dans les documents ci-joints.

Si vous désirez : ☐ poursuivre votre demande d'aliments ou de modification d'aliments
☐ contester, en totalité ou en partie, la demande de modification de l'intimé(e)

vous devriez vous présenter à l'audience et y donner les preuves pertinentes. Vous pouvez vous faire accompagner par votre avocat.

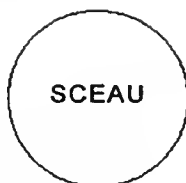
SI VOUS NE VOUS PRÉSENTEZ PAS À L'AUDIENCE, LE TRIBUNAL PEUT :

- ☐ ANNULER L'ORDONNANCE CONDITIONNELLE OU LA MODIFICATION SANS VOUS.
- ☐ EXAMINER LA DEMANDE DE MODIFICATION DE L'INTIMÉ(E) SANS VOUS.

Signature du greffier du tribunal

Date de la signature

REMARQUE : Une copie de la preuve de l'intimé(e) et une copie des motifs qu'a le tribunal pour demander de nouvelles preuves devraient être jointes au présent avis. Si l'une ou l'autre ne l'est pas, communiquez avec le greffe immédiatement.



(Nom du tribunal)

situé(e) au _____
Adresse du greffe

Numéro de dossier du greffe

.....
**Formule 37C : Avis
de poursuite
de l'audience
d'homologation**

Requérant(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Intimé(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

AUX INTIMÉ(E)S :

LE TRIBUNAL TIENDRA UNE AUDIENCE le (date)
à (heure), ou dès que possible par la suite, au (lieu de l'audience)

La cause dont est saisi ce tribunal en vue :

- ☐ d'homologuer une ordonnance conditionnelle ou une modification d'une ordonnance rendue par le/la (nom du tribunal d'origine) le (date)
- ☐ réviser une ordonnance rendue par le/la (nom du tribunal d'origine) le (date)

a été ajournée au (date de l'ordonnance d'ajournement)
pour que la cause puisse être renvoyée au tribunal d'origine pour y obtenir des preuves additionnelles.

Le tribunal d'origine nous a maintenant envoyé des preuves additionnelles, dont une copie est ci-jointe. Ce tribunal poursuivra en conséquence cette cause aux date, heure et lieu indiqués ci-dessus. Vous pouvez vous faire accompagner par votre avocat.

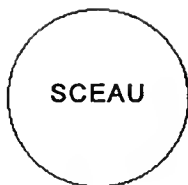
SI VOUS NE VOUS PRÉSENTEZ PAS À L'AUDIENCE, LE TRIBUNAL PEUT :

- ☐ HOMOLOGUER L'ORDONNANCE CONDITIONNELLE OU LA MODIFICATION SANS VOUS ET L'EXÉCUTER CONTRE VOUS.
- ☐ REJETER VOTRE DEMANDE DE MODIFICATION.
- ☐ VOUS CONDAMNER AUX DÉPENS.

Signature du greffier du tribunal

Date de la signature

REMARQUE : Une copie des preuves additionnelles du/de la requérant(e) qui ont été présentées au tribunal d'origine devrait être jointe au présent avis. Si elle ne l'est pas, communiquez avec le greffe immédiatement.



(Nom du tribunal)

Numéro de dossier du greffe _____

situé(e) au _____
Adresse du greffe

**Formule 37D : Avis
d'enregistrement
d'une ordonnance
définitive**

Requérant(e)(s)

<p><i>Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>	<p><i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>
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Intimé(e)(s)

<p><i>Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>	<p><i>Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).</i></p>
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AUX INTIMÉ(E)S :

Le/La (nom du tribunal)
situé(e) au (lieu où siège le tribunal)
a demandé aux tribunaux de l'Ontario d'exécuter ☐ une ordonnance alimentaire en faveur de personnes à charge.
☐ les dispositions relatives aux aliments d'un accord écrit conclu entre vous-même(s) et le ou les requérant(e)s.

L'ordonnance ou l'accord a été enregistré auprès de ce tribunal de l'Ontario le (date de l'enregistrement)
aux termes de la *Loi sur l'exécution réciproque d'ordonnances alimentaires*.

Si vous avez des raisons de croire :

- a) que l'ordonnance ou l'accord a été obtenu par fraude;
- b) que l'ordonnance ou l'accord a été obtenu par erreur;
- c) que l'ordonnance n'est pas définitive,

vous pouvez présenter une motion en annulation de l'enregistrement, mais ce au plus tard un mois après avoir reçu le présent avis. Vous devez signifier un avis de votre motion au bureau d'exécution réciproque du ministère du Procureur général de l'Ontario situé au (adresse)

Vous pouvez effectuer la signification par n'importe laquelle des méthodes énoncées à la règle 6 des *Règles en matière de droit de la famille*, y compris par la poste, par messagerie et par télécopie.

Si vous choisissez de ne pas contester l'enregistrement, l'ordonnance ou l'accord sera exécuté contre vous comme s'il s'agissait d'une ordonnance d'un tribunal de l'Ontario. Vous avez le droit à n'importe quel moment de présenter une requête en modification conditionnelle de l'ordonnance ou de l'accord s'il y a eu un changement important de circonstances depuis que l'ordonnance a été rendu ou que l'accord a été conclu.

Signature du greffier du tribunal

Date de la signature

Numéro de dossier du greffe

((Nom du tribunal))

Formule 38 :
Avis d'appelsitué(e) au _____
Adresse du greffe**Requérant(e)(s)**Cochez la case appropriée ☐ Appelant(e) ☐ Intimé(e) dans l'appel

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Intimé(e)(s)Cochez la case appropriée ☐ Appelant(e) ☐ Intimé(e) dans l'appel

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).	Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Je m'appelle : (nom de l'appelant(e))

J'EN APPELLE AUI/À LA (nom du tribunal)

situé(e) à (municipalité)

de l'ordonnance ou de la décision suivante :

Date de l'ordonnance :

Nom du tribunal qui l'a rendue :

Nom du juge qui l'a rendue :

Lieu où elle a été rendue

Il s'agissait d'une : ☐ ordonnance définitive ☐ ordonnance temporaire

Je demande que l'ordonnance soit annulée et qu'une ordonnance soit rendue comme suit : (Énoncez brièvement l'ordonnance que vous désirez voir rendre par le tribunal d'appel.)

Suite à la page suivante ➡

Formule 38 : Avis d'appel (page 2)

Numéro de dossier du greffe

Les motifs juridiques à l'appui de mon appel sont les suivants : (Indiquez sous forme de paragraphes numérotés le fondement juridique de votre appel.)

Tracez une ligne horizontale en travers de tout espace laissé en blanc sur la présente page

REMARQUE : Vous disposez de 30 jours pour signifier le présent avis aux autres parties à la cause et vous devez le déposer auprès du greffier du tribunal d'appel, accompagné d'une preuve de sa signification (formule 6B), dans les 10 jours qui suivent.

Signature

Date de la signature

Numéro de dossier du greffe

(Nom du tribunal)

**Formule 39 : Préavis de
rejet imminent**

situé(e) au

Adresse du greffe

Requérant(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Intimé(e)(s)

Nom et prénom officiels et adresse aux fins de signification — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

Nom et adresse de l'avocat(e) — numéro et rue, municipalité, code postal, numéros de téléphone et de télécopieur et adresse électronique (le cas échéant).

À TOUTES LES PARTIES :

LE GREFFIER DE LA COUR REJETTERA LA CAUSE SANS AUTRE AVIS, sauf si une des parties, dans les 30 jours qui suivent la signification du présent préavis :

- a) soit dépose un accord signé par toutes les parties et leurs avocats, si elles en ont un, prévoyant l'obtention d'une ordonnance définitive tranchant toutes les questions en litige dans la cause;
- b) soit prend les dispositions nécessaires pour qu'une conférence relative à la cause ou une conférence en vue d'un règlement amiable soit tenue à la première date qui se présente;
- c) soit obtient d'un juge une ordonnance fixant la date d'instruction de la cause ou prolongeant le délai prévu à cette fin.

Le présent préavis est envoyé aux termes du paragraphe 39 (11) des *Règles en matière de droit de la famille*.

Signature du greffier

Date de la signature

ONTARIO REGULATION 121/99
made under the
PUBLIC SERVICE ACT

Made: March 3, 1999
Approved: March 10, 1999
Filed: March 16, 1999

Amending Reg. 977 of R.R.O. 1990
(General)

Note: Since the end of 1997, Regulation 977 has been amended by Ontario Regulations 39/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Regulation 977 of the Revised Regulations of Ontario, 1990 is amended by adding the following sections:

COMPENSATION FOR OVERTIME

10.1 Sections 10.2 to 10.11 apply with respect to every person who is appointed to a position in the public service.

10.2 (1) In sections 10.3 to 10.11,

"Management Compensation Plan" means Management Compensation Plan as defined in section 1 of Part I of Schedule 1.

(2) For the purposes of sections 10.6 to 10.11, an employee is considered to be on call when the employee keeps himself or herself reasonably available for recall to work during a period (authorized by his or her supervisor) that is not his or her regularly scheduled work period.

(3) For the purposes of sections 10.6 to 10.11, an employee's regular work period, regularly scheduled work day and regularly scheduled work week are to be determined without reference to a period in which there is an emergency, a strike or a lock-out (whether or not the strike or lock-out is lawful).

10.3 (1) If overtime credit under sections 10.6 to 10.11 is to be calculated at time-and-a-half, the employee receives 45 minutes credit for each half-hour of the applicable work.

(2) If overtime credit is to be calculated at straight time, the employee receives one half-hour of credit for each half-hour of the applicable work.

(3) For the purposes of calculating an employee's overtime credit, the period of applicable work is to be rounded to the nearest half-hour. A period of 15 minutes' work is to be rounded to a half-hour.

(4) The rounding rule set out in subsection (3) does not apply with respect to the first half-hour of the period of applicable work.

10.4 (1) A lump sum payment to an employee for overtime credit under sections 10.6 to 10.11 is to be calculated using the employee's salary that was in effect when he or she earned the credit.

(2) The regular work week of a Schedule 6 employee shall be deemed to be 36¼ hours, for the purpose of calculating the hourly salary rate to be used to determine the amount of a lump sum payment to the employee.

10.5 (1) An employee who is entitled to receive compensation under section 10.9 (overtime during an emergency) for working overtime within the meaning of that section is not entitled to receive compensation under any other section for the same period of work.

(2) An employee who is entitled to receive compensation under section 10.8 (overtime during geological field operations) for work in the

field is not entitled to receive compensation under section 10.6, 10.7, 10.10 or 10.11 for the same period of work.

(3) An employee who is entitled to receive compensation under section 10.10 or 10.11 (overtime during a strike or lock-out) is not entitled to receive compensation under section 10.6 or 10.7 for the same period of work.

STANDARD OVERTIME

10.6 (1) The Schedule 3, 4 and 5 employees described in subsection (3) are entitled to compensation when they work overtime,

- (a) as described in subsection (4) for full-time employees; and
- (b) as described in subsection (5) for part-time employees.

(2) The amount and form of compensation are determined under this section.

(3) Employees are entitled to compensation under this section if they are employed in a class of position set out in Schedule 3, 4 or 5 and the class falls within the Management Compensation Plan.

(4) For the purposes of this section, a full-time employee is considered to be working overtime in either of the following circumstances:

- 1. When the employee, with the authorization of his or her supervisor, works more than his or her regular working period on a day that is a regularly scheduled work day for the employee.
- 2. When the employee, with the authorization of his or her supervisor, works on a day that is not a regularly scheduled work day for the employee.

(5) For the purposes of this section, a part-time employee is considered to be working overtime in either of the following circumstances:

- 1. When, on a regularly scheduled work day for the employee, he or she works more than the following, with the authorization of his or her supervisor:
 - i. Seven and one-quarter hours, in the case of a Schedule 3 employee whose regularly scheduled work day is 7¼ hours long or less.
 - ii. Eight hours, in the case of a Schedule 4 or 5 employee whose regularly scheduled work day is eight hours long or less.
 - iii. More than the length of his or her regularly scheduled work day, in the case of an employee whose regularly scheduled work day is longer than 7¼ or 8 hours, whichever applies.

- 2. When the employee, with the authorization of his or her supervisor, works at least one-half hour on a day that is not a regularly scheduled work day for the employee.

(6) Work on a holiday listed in subsection 58 (1) is not considered to be overtime work for the purposes of this section.

(7) An employee is not considered to be working overtime when the employee is on call, on stand-by or travelling.

(8) A Schedule 3 employee described in subsection (3) receives overtime credit calculated at time-and-a-half for the following work:

- 1. If the employee is a full-time employee who works overtime on a regularly scheduled work day and if the employee's total hours for the week in which he or she works overtime exceed 36¼ hours, the employee is entitled to overtime credit for the time

that he or she works in excess of 36¼ hours during that week.

2. If the employee is a part-time employee who works overtime on a regularly scheduled work day, the employee is entitled to overtime credit for the overtime work on that day.
3. If the employee works overtime on a day that is not a regularly scheduled work day, the employee is entitled to overtime credit for the time that he or she works on that day.
4. If the employee is called into work before the start of his or her next regularly scheduled work period, the employee is entitled to overtime credit for the time that he or she works before that regularly scheduled work period. If the employee works fewer than four hours, he or she shall be deemed to have worked four hours for the purposes of calculating his or her overtime credit.
5. Despite paragraphs 1 to 4, the employee is not entitled to overtime credit for hours worked without the authorization of his or her supervisor.

(9) A Schedule 4 or 5 employee described in subsection (3) receives overtime credit calculated at time-and-a-half for the following work:

1. If the employee is a full-time employee who works overtime on a regularly scheduled work day and if the employee's total hours for the week in which he or she works overtime exceed 40 hours, the employee is entitled to overtime credit for the time that he or she works in excess of 40 hours during that week.
2. If the employee is a part-time employee who works overtime on a regularly-scheduled work day, the employee is entitled to overtime credit for the overtime work on that day.
3. If the employee works overtime on a day that is not a regularly scheduled work day, the employee is entitled to overtime credit for the time that he or she works on that day.
4. If the employee is called into work before the start of his or her next regularly scheduled work period, the employee is entitled to overtime credit for the time that he or she works before that regularly scheduled work period. If the employee works fewer than four hours, he or she shall be deemed to have worked four hours for the purposes of calculating his or her overtime credit.
5. Despite paragraphs 1 to 4, the employee is not entitled to overtime credit for hours worked without the authorization of his or her supervisor.

(10) A Schedule 3 or 4 employee (other than an employee described in subsection (11)) and a Schedule 5 employee shall be compensated as follows for the overtime credit he or she receives under this section:

1. The employee is entitled to take compensating leave equal to the amount of his or her overtime credit.
2. However, if the employee and his or her supervisor agree, the employee shall instead be paid a lump sum for all or part of his or her overtime credit.
3. Compensating leave must be taken before the end of the fiscal year after the fiscal year in which the employee earns the overtime credit.
4. If the employee does not take all of the compensating leave within that period, the employee shall be paid a lump sum for the remaining overtime credit.

5. Compensating leave may be taken at any time within that period that the employee and his or her supervisor agree upon.
6. If the employee and the supervisor do not agree upon the time when the compensating leave is to be taken, the deputy minister may decide when, within that period, the employee may take the leave.

(11) A Schedule 3 or 4 employee who is employed in a class of position that is also included in Schedule 7 shall be compensated as follows for the overtime credit he or she receives under this section:

1. The employee is entitled to be paid for his or her overtime credit.
2. However, if the employee and his or her supervisor agree, the employee shall instead be entitled to take compensating leave for all or part of his or her overtime credit.
3. Payment is to be made within two months after the pay period in which the employee works the overtime.

10.7 (1) The Schedule 6 employees described in subsection (3) are entitled to compensation when they work overtime as described in subsection (4).

(2) The amount and form of compensation are determined under this section.

(3) Employees are entitled to compensation under this section if they are employed in a class of position set out in Schedule 6 and if the title of the class indicates that the position is "excluded". However, employees in the Crown Counsel 1, 2, 3 or 4 (Excluded) classes are not entitled to compensation.

(4) For the purposes of this section, an employee is considered to be working overtime when the employee, with the authorization of his or her supervisor, works on a day that is not a regularly scheduled work day for the employee.

(5) Work on a holiday listed in subsection 58 (1) is not considered to be overtime work for the purposes of this section.

(6) An employee is not considered to be working overtime when the employee is on call, on stand-by or travelling.

(7) An employee described in subsection (3) receives overtime credit calculated at straight time for the overtime that he or she works on a day that is not a regularly scheduled work day.

(8) An employee shall be compensated as follows for the overtime credit he or she receives under this section:

1. The employee is entitled to take compensating leave equal to the amount of his or her overtime credit.
2. Compensating leave must be taken before the end of the fiscal year after the fiscal year in which the employee earns the overtime credit.
3. If the employee does not take all of the compensating leave within that period, the employee shall be paid a lump sum for the remaining overtime credit.

OVERTIME DURING GEOLOGICAL FIELD OPERATIONS

10.8 (1) This section applies in the case of geological field operations.

(2) The employees described in subsection (4) are entitled to compensation when they work overtime as described in subsection (6).

(3) The amount and form of compensation are determined under this section.

(4) Subject to subsection (5), employees are entitled to compensation under this section if they are employed in a class of position set out in Schedule 6 and the class falls within the Management Compensation Plan.

(5) Employees are not entitled to compensation under this section if they are represented by the Association of Law Officers of the Crown, the Association of Ontario Physicians and Dentists in the Public Service, the Commissioned Officers' Association or the Ontario Crown Attorneys' Association.

(6) For the purposes of this section, an employee is considered to be working overtime during geological field operations,

- (a) if he or she spends more than 30 days in the field during a year; and
- (b) if he or she spent more than 30 days in the field during the previous year.

(7) Subject to subsections (8) and (9), an employee who is entitled to compensation under this section receives overtime credit calculated at straight time for the following work in the field:

- 1. For his or her work in excess of 7¼ hours on a regularly scheduled work day.
- 2. For his or her work on a day that is not a regularly scheduled work day.

(8) An employee is not entitled to overtime credit under this section for time spent on call, on stand-by or travelling.

(9) An employee is not entitled to overtime credit under this section of more than 145 hours in a year.

(10) The employee shall be compensated as follows for the overtime credit he or she receives under this section:

- 1. If the employee has the authorization of his or her supervisor, the employee may take compensating leave equal to the amount of his or her overtime credit.
- 2. If the employee does not take compensating leave for all or part of the overtime credit, the employee shall be paid a lump sum for the remaining overtime credit.

OVERTIME DURING AN EMERGENCY

10.9 (1) This section applies,

- (a) in case of a forest fire emergency; and
- (b) in case of any other emergency that Management Board of Cabinet declares to be an emergency requiring extraordinary measures to protect public health, public safety or property.

(2) The full-time employees described in subsection (4) are entitled to compensation when they work overtime as described in subsection (6).

(3) The amount and form of compensation are determined under this section.

(4) Subject to subsection (5), full-time employees are entitled to compensation under this section if they are employed in a class of

position set out in Schedule 6 and the class falls within the Management Compensation Plan.

(5) Employees are not entitled to compensation under this section if they are represented by the Association of Law Officers of the Crown, the Association of Ontario Physicians and Dentists in the Public Service, the Commissioned Officers' Association or the Ontario Crown Attorneys' Association.

(6) For the purposes of this section, a full-time employee is considered to be working overtime during an emergency when he or she works more than 8 hours in a 24-hour period or works on a scheduled day off.

(7) An employee is not considered to be working overtime when the employee is,

- (a) on call;
- (b) on stand-by; or
- (c) travelling to his or her normal place of work or to his or her headquarters.

(8) If the employee's supervisor authorizes an employee to work overtime during the emergency, the employee is entitled to receive overtime credit calculated at time-and-a-half for the authorized overtime that the employee works.

(9) The employee shall be compensated as follows for the overtime credit he or she receives under this section:

- 1. The employee is entitled to take compensating leave equal to the amount of his or her overtime credit.
- 2. However, if the employee and his or her supervisor agree, the employee shall instead be paid a lump sum for all or part of his or her overtime credit.
- 3. If the employee frequently works overtime during a period of three months or more, the employee shall instead be paid a lump sum for that portion of his or her overtime credit that is specified by his or her supervisor. The payment is to be made at the end of each three-month period of overtime work.
- 4. Compensating leave must be taken within one of the following periods, to be chosen by the employee's supervisor:
 - i. Within one year after the emergency begins.
 - ii. Within the fiscal year in which the employee earns the overtime credit.
- 5. If the employee does not take all of the compensating leave within that period, the employee shall be paid a lump sum for the remaining overtime credit.

OVERTIME DURING A STRIKE OR LOCK-OUT

10.10 (1) The Schedule 3, 4 and 5 employees described in subsection 10.6 (3) are entitled to compensation when they work overtime as described in subsection 10.6 (4) or (5) during a strike by, or lock-out of, employees employed in the Ontario Public Service, whether or not the strike or lock-out is lawful.

(2) Subject to subsection (3), the amount and form of compensation are determined under section 10.6.

(3) An employee is not entitled to overtime credit for his or her regular working period during a regularly scheduled work day.

10.11 (1) The Schedule 6 employees described in subsection (3) are entitled to compensation when they work overtime as described in subsection (5) during a strike by, or lock-out of, employees employed in the Ontario Public Service, whether or not the strike or lock-out is lawful.

(2) The amount and form of compensation are determined under this section.

(3) The following employees are entitled to compensation under this section:

1. Those employed in the Senior Management Group 1 or 2 classes, but not in the Senior Management Group 1 (Seventh Unit) XSMC1 or Senior Management Group 2 (Seventh Unit) XSMC2 classes.

2. Those employed in a class of position set out in Schedule 6 if the class falls within the Management Compensation Plan, but not those described in subsection (4).

(4) Employees are not entitled to compensation under this section if they are represented by the Association of Law Officers of the Crown, the Association of Ontario Physicians and Dentists in the Public Service, the Commissioned Officers' Association or the Ontario Crown Attorneys' Association.

(5) For the purposes of this section, a full-time or part-time employee is considered to be working overtime during a strike or lock-out when he or she works 44 hours or more during a week with his or her supervisor's authorization.

(6) An employee is not considered to be working overtime when the employee is,

(a) on call;

(b) on stand-by; or

(c) travelling to his or her normal place of work or to his or her headquarters.

(7) If the employee's supervisor authorizes the employee to work overtime during the strike or lock-out, the employee is entitled to receive overtime credit calculated at time-and-a-half for his or her work in excess of 36¼ hours during the week. However, the employee is not entitled to overtime credit for any hours worked without his or her supervisor's authorization.

(8) For the purposes of subsections (5) and (7), a week begins on Monday.

(9) The employee shall be compensated as follows for the overtime credit he or she receives under this section:

1. The employee is entitled to be paid a lump sum for his or her overtime credit.

2. However, if the employee and his or her supervisor agree, the employee shall instead be entitled to take compensating leave for all or part of his or her overtime credit.

3. Compensating leave must be taken within one of the following periods, to be chosen by the employee's supervisor:

i. Within one year after the strike or lock-out begins.

ii. Within the fiscal year in which the employee earns the overtime credit.

4. If the employee does not take all of the compensating leave within that period, the employee shall be paid a lump sum for the remaining overtime credit.

CIVIL SERVICE COMMISSION:

MICHELE NOBLE
Chair

CAROL ANN BURGMANN
Secretary

Dated on March 3, 1999.

14/99

ONTARIO REGULATION 122/99 made under the **LIQUOR LICENCE ACT**

Made: March 10, 1999
Filed: March 17, 1999

Amending Reg. 719 of R.R.O. 1990
(Licences to Sell Liquor)

Note: Since the end of 1997, Regulation 719 has been amended by Ontario Regulations 63/98, 244/98, 367/98, 655/98 and 656/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Subsection 23 (3) of Regulation 719 of the Revised Regulations of Ontario, 1990 is amended by adding the following clause:

(e) the premises known as Playdium at Square One located at 99 Rathburn Road West, in the City of Mississauga.

2. Clause 23 (3) (e) of the Regulation, as made by section 1 of this Regulation, is revoked on December 31, 1999.

14/99

ONTARIO REGULATION 123/99 made under the **PUBLIC SERVICE ACT**

Made: March 3, 1999
Approved: March 17, 1999
Filed: March 17, 1999

Amending Reg. 977 of R.R.O. 1990
(General)

Note: Since the end of 1997, Regulation 977 has been amended by Ontario Regulation 39/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Section 10.10 of Regulation 977 of the Revised Regulations of Ontario, 1990 is amended by adding the following subsection:

(1.1) Employees are entitled to compensation under this section for overtime work done on or after January 1, 1999.

2. Section 10.11 of the Regulation is amended by adding the following subsection:

(1.1) Employees are entitled to compensation under this section for overtime work done on or after January 1, 1999.

CIVIL SERVICE COMMISSION:

MICHELE NOBLE
Chair

CAROL ANN BURGMANN
Secretary

Dated on March 3, 1999.

14/99

ONTARIO REGULATION 124/99
made under the
ELECTRICITY ACT, 1998

Made: March 17, 1999
Filed: March 18, 1999

**TRANSFER TAX ON MUNICIPAL
ELECTRICITY PROPERTY**

PRESCRIBED PERCENTAGE

1. The percentage prescribed for the purposes of subsection 94 (1) of the Act is 33 per cent.

DEEMED TRANSFERS

2. (1) Each of the transactions or series of transactions described in this section shall be deemed, for the purpose of section 94 of the Act, to be a transfer to a person of an interest in real or personal property that has been used in connection with generating, transmitting, distributing or retailing electricity.

(2) A transaction or series of transactions shall be deemed to constitute a transfer described in subsection (1),

(a) if, as a result of the transaction or series of transactions, a municipal corporation or a municipal electricity utility ceases to own the interest in property described in subsection (1) and another person acquires a similar interest in the property; and

(b) if it is reasonable to conclude that one of the primary purposes of the transaction or the series of transactions is to avoid the application of subsection 94 (1) of the Act.

(3) When a corporation ceases to be a subsidiary of a municipal electricity utility, the corporation's interest in property described in subsection (1) shall be deemed to have been transferred from the corporation to another person immediately before the corporation ceases to be such a subsidiary. The deemed transfer of the interest in property from the corporation shall be deemed to constitute a transfer described in subsection (1).

(4) If a municipal corporation or a municipal electricity utility transfers an interest in property described in subsection (1) to a partnership, a portion of the interest in property that is transferred shall be deemed to constitute a transfer described in subsection (1). The portion that is deemed to be transferred is calculated using the formula,

$$A \times (B / C)$$

where,

"A" is the fair market value of the interest in property described in subsection (1) that the municipal corporation or municipal electricity utility transfers to the partnership;

"B" is the fair market value of that portion of interests in the partnership that are owned by persons other than the municipal corporation or the municipal electricity utility; and

"C" is the fair market value of all ownership interests in the partnership.

EXCLUDED TRANSFERS

3. (1) Each of the transfers described in this section is prescribed as a transfer to which subsection 94 (1) of the Act does not apply.

(2) Subsection (3) applies if,

(a) a municipal corporation or municipal electricity utility (the "first transferor") transfers an interest in property described in subsection 94 (1) or (2) of the Act (the "first transfer") to another municipal corporation or municipal electricity utility (the "first transferee");

(b) the first transferor pays an amount under subsection 94 (1) of the Act in respect of that transfer; and

(c) the first transferee subsequently transfers the interest in the same property (the "second transfer") to any person.

(3) Subsection 94 (1) of the Act does not apply to the second transfer described in subsection (2), to the extent that the first transferor has already paid an amount under subsection 94 (1) of the Act in respect of the first transfer.

(4) Subsection (5) applies if,

(a) a municipal corporation or municipal electricity utility (the "first transferor") transfers an interest in property described in subsection 94 (1) or (2) of the Act (the "first transfer") to another municipal corporation or municipal electricity utility (the "first transferee");

(b) the first transferor pays an amount under subsection 94 (1) of the Act in respect of the first transfer;

(c) the first transferee or a corporation that owns (directly or indirectly) at least 95 per cent of the total issued and outstanding share capital, excluding the directors' qualifying shares, of the first transferee subsequently transfers an interest in property described in subsection 94 (1) or (2) of the Act (the "second transfer") to another person; and

(d) the interest transferred in the second transfer derives its value from the property referred to in clause (a).

(5) Subsection 94 (1) of the Act does not apply to the second transfer described in subsection (4) to the extent that the first transferor has already paid an amount under subsection 94 (1) of the Act in respect of the first transfer.

(6) Subsection (7) applies if,

(a) a municipal corporation or municipal electricity utility (the "first transferor") transfers an interest in property described in subsection 94 (1) or (2) of the Act (the "first transfer") to another municipal corporation or municipal electricity utility (the "first transferee");

(b) the first transferor pays an amount under subsection 94 (1) of the Act in respect of the first transfer;

(c) the first transferee or a corporation in which the first transferee owns (directly or indirectly) at least 95 per cent of the total issued and outstanding share capital, excluding the directors' qualifying shares, subsequently transfers an interest in property described in subsection 94 (1) or (2) of the Act (the "second transfer") to another person; and

(d) the interest transferred in the second transfer derives its value from the property referred to in clause (a).

(7) Subsection 94 (1) of the Act does not apply to the second transfer described in subsection (6) to the extent that the first transferor has already paid an amount under subsection 94 (1) of the Act in respect of the first transfer.

(8) Subsection (9) applies if,

(a) a municipal corporation or municipal electricity utility (the "transferor") transfers an interest in property described in subsection 94 (1) or (2) of the Act to a corporation that is a municipal electricity utility (the "transferee"); and

(b) the transferor owns (directly or indirectly) at least 95 per cent of the total issued and outstanding share capital, excluding the directors' qualifying shares,

(i) of the transferee, or

(ii) of a corporation that owns (directly or indirectly) at least 95 per cent of the total issued and outstanding share capital of the transferee, excluding the directors' qualifying shares.

(9) Subsection 94 (1) of the Act does not apply to the transfer described in subsection (8) from the transferor to the transferee.

(10) Subsection (11) applies if,

(a) a municipal electricity utility (the "transferor") transfers an interest in property described in subsection 94 (1) or (2) of the Act to a corporation that is a municipal electricity utility (the "transferee"); and

(b) a corporation owns (directly or indirectly) at least 95 per cent of the total issued and outstanding share capital, excluding the directors' qualifying shares,

(i) of the transferor and of the transferee, or

(ii) of another corporation that owns (directly or indirectly) at least 95 per cent of the total issued and outstanding share capital, excluding the directors' qualifying shares, of the transferor and of the transferee.

(11) Subsection 94 (1) of the Act does not apply to the transfer described in subsection (10) from the transferor to the transferee.

(12) Subsection (13) applies if a municipal corporation or municipal electricity utility (the "transferor") transfers an interest in property described in subsection 94 (1) or (2) of the Act and,

(a) before the transfer, the property is not being used or is obsolete; or

(b) the transfer is made in the ordinary course of business of the transferor and it is reasonable to conclude that the primary purpose of the transfer is to replace the transferor's property.

(13) Subsection 94 (1) of the Act does not apply to the transfer described in subsection (12) if the aggregate fair market value of all such interests that are transferred by the transferor during a particular

taxation year is not greater than 5 per cent of the fair market value of the interests in property described in subsections 94 (1) and (2) of the Act that are owned by the transferor at the end of the preceding taxation year.

(14) Subsection 94 (1) of the Act does not apply to the transfer of a leasehold interest in property described in subsection 94 (1) of the Act unless, at the time of the transfer,

(a) the lessee automatically acquires title to the leased property at less than its fair market value before or upon the termination of the lease;

(b) the lessee has a conditional or unconditional right to acquire the title to the leased property at less than its fair market value before or upon the termination of the lease;

(c) the term of the lease, including any renewal or extension provided for in the lease or in another agreement entered into as part of the arrangement relating to the lease, is greater than or equal to at least 75 per cent of the anticipated economic life of the leased property; or

(d) the aggregate value of the lease payments that are required by the lease agreement when the lease begins, including any guarantee of the residual value of the leased property and any penalty payable for a failure to renew the lease or to extend its term, is greater than or equal to the value of the leased property when the lease begins.

(15) Subsection 94 (1) of the Act does not apply to the transfer of an interest in property described in subsection 94 (1) or (2) of the Act,

(a) if the transfer does not result in a change in the beneficial ownership of the interest in the property;

(b) if the transfer is made for the purpose of securing a debt or a loan and for no other purpose; or

(c) if the transfer entitles the transferor to an amount described in paragraphs (b) to (f) of the definition of "proceeds of disposition" in section 54 of the *Income Tax Act* (Canada).

ADMINISTRATION

4. (1) A municipal corporation or municipal electricity utility (the "transferor") that proposes to transfer an interest in property described in subsection 94 (1) or (2) of the Act shall give the Minister of Finance written notice of the proposed transfer.

(2) The notice must be received by the Minister at least 60 days before the date of the proposed transfer.

(3) The notice must include the following information:

1. The name and address of the proposed transferee.

2. A detailed description of the interest that is being transferred.

3. A reasonable estimate of the fair market value of the interest that is being transferred, immediately before the date of the proposed transfer.

4. The estimated amount payable under subsection 94 (1) of the Act in respect of the transfer.

5. A municipal corporation or municipal electricity utility that proposes to make a transfer to which subsection 94 (1) of the Act applies shall do one of the following before the date of the proposed transfer:

1. Give the Financial Corporation security satisfactory to the Financial Corporation for the payment required by subsection 94 (1) of the Act.

2. Pay the Financial Corporation the amount that the transferor reasonably estimates will be required by subsection 94 (1) of the Act in respect of the transfer.

6. If the municipal corporation or municipal electricity utility gives the notice required by section 4 and gives the security or makes the payment described in section 5, the Minister of Finance shall give the municipal corporation or municipal electricity utility and the proposed transferee a certificate setting out the details of the proposed transfer and of the security or payment.

7. (1) Subject to subsection (4), a municipal corporation or municipal electricity utility that transfers an interest in property described in subsection 94 (1) or (2) of the Act shall give the Minister of Finance written notice of the transfer.

(2) The notice must be received by the Minister within 30 days after the date on which the transfer is made.

(3) The notice must include the following information and documents:

1. The name and address of the transferee.
2. A detailed description of the interest that was transferred.
3. The fair market value of the interest that was transferred, immediately before the transfer.
4. The estimated amount payable under subsection 94 (1) of the Act in respect of the transfer.
5. The amount, if any, paid to the Financial Corporation under subsection 94 (1) of the Act in respect of the transfer.
6. A copy of the Minister's certificate, if any, under section 6 for the transfer.

(4) Notice is not required,

- (a) if the municipal corporation or municipal electricity utility gave notice of the proposed transfer to the Minister under section 4 before the date of the transfer;
- (b) if the transferee is the same as the person identified as the proposed transferee in the notice of the proposed transfer;
- (c) if the fair market value of the interest transferred is less than or equal to the estimated fair market value set out in the notice of the proposed transfer; and
- (d) if the amount of the payment made under section 5 or the amount in respect of which security is given under section 5, as the case may be, is greater than or equal to the estimated amount payable set out in the notice of the proposed transfer.

8. When a municipal corporation or municipal electricity utility makes a transfer to which subsection 94 (1) of the Act applies, the municipal corporation or municipal electricity utility shall pay to the Financial Corporation the amount by which "A" exceeds "B" where,

"A" is the amount payable under subsection 94 (1) of the Act in respect of the transfer, and

"B" is the amount of the payment made under section 5 or the amount in respect of which security is given under section 5, as the case may be.

ERNIE EVES
Minister of Finance

Dated on March 17, 1999.

14/99

Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1999—04—10

ONTARIO REGULATION 125/99 made under the PLANNING ACT

Made: March 22, 1999

Filed: March 23, 1999

Amending O. Reg. 834/81
(Restricted Areas—District of Sudbury—
Territorial District of Sudbury)

Note: Since the end of 1997, Ontario Regulation 834/81 has been amended by Ontario Regulations 163/98 and 92/99. Previous amendments are listed in the Tables of Regulations in the Statutes of Ontario, 1991 and the Statutes of Ontario, 1997.

1. Schedule 1 to Ontario Regulation 834/81 is amended by adding the following section:

164. (1) Despite subsections 22 (1) and 23 (3) of the Order, one single dwelling and one building with not more than 24 bays for the storage of boats, snowmobiles and trailers, together with accessory buildings and structures, may be erected and used on the land described in subsection (2) if the following requirements are met:

- | | | |
|-------------------------|---------------------|-------|
| 1. Minimum lot area | 6,500 square metres | |
| 2. Minimum lot frontage | 46 metres | 15/99 |

- | | |
|-------------------------------|-------------|
| 3. Maximum lot coverage | 35 per cent |
| 4. Minimum front yard | 18 metres |
| 5. Minimum rear yard | 18 metres |
| 6. Minimum side yards | 9 metres |
| 7. Maximum height of building | 11 metres |

(2) Subsection (1) applies to those lands in the Geographic Township of Cascaden in the Territorial District of Sudbury known as Parcel 28599 Sudbury West Section, being that part of Lot 1 in Concession VI designated as Part 1 on Plan 53R-11132.

AUDREY BENNETT
Manager

*Provincial Planning and Environmental Services Branch
Ministry of Municipal Affairs and Housing*

Dated on March 22, 1999.

ONTARIO REGULATION 126/99 made under the POLICE SERVICES ACT

Made: February 24, 1999

Filed: March 24, 1999

Amending O. Reg. 420/97
(Costs of Ontario Provincial Police Services to Municipalities under
Section 5.1 of the Act)

Note: Ontario Regulation 420/97 has previously been amended by Ontario Regulation 370/98.

1. Section 4 of Ontario Regulation 420/97 is revoked and the following substituted:

4. (1) The Minister of Finance shall send a monthly account to each municipality based on the estimate provided by the OPP under section 3.

(2) The municipality shall pay the Minister of Finance the amount set out in the account as provided in it.

2. Subsections 5 (2), (3) and (4) of the Regulation are revoked and the following substituted:

(2) If the actual amount owed by the municipality is less than the estimated amount, the difference shall be subtracted from one or more of the monthly accounts sent to the municipality during the next year.

RÈGLEMENT DE L'ONTARIO 126/99 pris en application de la LOI SUR LES SERVICES POLICIERS

pris le 24 février 1999

déposé le 24 mars 1999

modifiant le Règl. de l'Ont. 420/97
(Coûts des services de la police provinciale de l'Ontario que doivent
assumer des municipalités aux termes de l'article 5.1 de la Loi)

Remarque : Le Règlement de l'Ontario 420/97 a été modifié antérieurement par le Règlement de l'Ontario 370/98.

1. L'article 4 du Règlement de l'Ontario 420/97 est abrogé et remplacé par ce qui suit :

4. (1) Le ministre des Finances envoie à chaque municipalité un relevé de compte mensuel basé sur l'estimation fournie par la Police provinciale aux termes de l'article 3.

(2) La municipalité paie au ministre des Finances le montant indiqué sur le relevé de compte de la façon qui y est précisée.

2. Les paragraphes 5 (2), (3) et (4) du Règlement sont abrogés et remplacés par ce qui suit :

(2) Si le montant réel que doit la municipalité est inférieur au montant estimatif, la différence est soustraite des montants indiqués sur un ou plusieurs des relevés de compte mensuels envoyés à la municipalité au cours de l'année suivante.

(3) If the actual amount owed by the municipality is greater than the estimated amount, the difference shall be added to one or more of the monthly accounts sent to the municipality during the next year.

(4) If the OPP does not provide police services under section 5.1 of the Act to the municipality in the next year, any amount owed to the municipality under subsection (2) or to the OPP under subsection (3) shall be paid to the municipality or to the Minister of Finance, as the case may be, during the next year.

15/99

ONTARIO REGULATION 127/99
made under the
AMBULANCE ACT

Made: March 14, 1999
Approved: March 24, 1999
Filed: March 24, 1999

Amending O. Reg. 501/97
(General)

Note: Ontario Regulation 501/97 has previously been amended by Ontario Regulations 38/98, 379/98 and 571/98.

1 Section 58 of Ontario Regulation 501/97 is revoked and the following substituted:

58. This Regulation is revoked on December 31, 1999.

ELIZABETH WITMER
Minister of Health

Dated on March 14, 1999.

15/99

ONTARIO REGULATION 128/99
made under the
AMBULANCE ACT

Made: March 14, 1999
Approved: March 24, 1999
Filed: March 24, 1999

Revoking O. Reg. 492/97
(Costs Associated with the Provision of Land
Ambulance Services)

1. Ontario Regulation 492/97 and 354/98 are revoked.

ELIZABETH WITMER
Minister of Health

Dated on March 14, 1999.

15/99

(3) Si le montant réel que doit la municipalité est supérieur au montant estimatif, la différence est ajoutée aux montants indiqués sur un ou plusieurs des relevés de compte mensuels envoyés à la municipalité au cours de l'année suivante.

(4) Si la Police provinciale n'offre pas à la municipalité de services policiers aux termes de l'article 5.1 de la Loi au cours de l'année suivante, tout montant dû à la municipalité aux termes du paragraphe (2) ou à la Police provinciale aux termes du paragraphe (3) est versé à la municipalité ou au ministre des Finances, selon le cas, au cours de cette année-là.

ONTARIO REGULATION 129/99
made under the
AMBULANCE ACT

Made: March 14, 1999
Approved: March 24, 1999
Filed: March 24, 1999

**COSTS ASSOCIATED WITH THE PROVISION
OF LAND AMBULANCE SERVICES**

**PART I
DEFINITIONS**

1. In this Regulation,

"board" means a district social services administration board under the *District Social Services Administration Boards Act*;

"tax ratio", with respect to a property, means the tax ratio established under section 363 of the *Municipal Act* for the property class it is in;

"weighted assessment" means,

(a) with respect to property that is in a sub-class to which section 368.1 of the *Municipal Act* applies, the taxable assessment for the property, as reduced by the percentage reduction that applies to the tax rate for properties of that sub-class under section 368.1 of the *Municipal Act* and multiplied by the tax ratio of the property class that the property is in, and

(b) in all other cases, the taxable assessment for a property multiplied by the tax ratio of the property class that the property is in.

**PART II
RECOVERY OF COSTS OF DELIVERY AGENT**

2. (1) For the purposes of section 6.9 of the Act, the costs associated with the provision of land ambulance services in a designated area shall be apportioned and paid in accordance with this Part.

(2) This Part does not apply to a designated area to which Part III applies or to a designated area that consists entirely of one local municipality.

3. If a designated area consists entirely of one upper-tier municipality, the municipality shall pay to the delivery agent all costs associated with the provision of land ambulance services in the designated area.

4. (1) This section applies to a designated area that consists of two or more local or upper-tier municipalities.

(2) Subject to subsections (3) and (4), the costs associated with the provision of land ambulance services in the designated area shall be apportioned among its municipalities as follows:

1. When the assessment rolls of the municipalities are returned to the clerk under section 36 of the *Assessment Act*, they shall also be provided to the delivery agent.
2. Each municipality shall provide the delivery agent with a copy of its by-law setting its tax ratios on or before the date it is required under section 363 of the *Municipal Act* to make the by-law.
3. The delivery agent shall determine, for each municipality, the amount to be apportioned to the municipality in accordance with the following formula:

$$A = B \times (C \div D)$$

where,

A = the amount to be apportioned to the municipality,

B = the costs associated with the provision of land ambulance services in the designated area,

C = the sum of the weighted assessments for all of the properties in the municipality,

D = the sum of the weighted assessments for all of the properties in the designated area.

- (3) If the delivery agent for the designated area is not a board,

(a) the municipalities in the designated area may enter into an agreement reapportioning among themselves the share of the costs apportioned to them under subsection (2); and

(b) each municipality in the designated area shall pay its share of the costs to the delivery agent.

(4) If the delivery agent for the designated area is a board, the board shall apportion the costs associated with the provision of land ambulance services in the designated area in a way other than that provided in subsection (2) if,

(a) a majority of the municipalities in the designated area consent to that apportionment; and

(b) those municipalities that have consented represent a majority of the electors in the board's district.

(5) Each of the municipalities included in the designated area is entitled to one vote under clause (4) (a).

(6) A resolution of the municipal council is required for a municipality to consent under subsection (4).

(7) If the delivery agent for the designated area is a board, each municipality in the designated area shall pay its apportioned amount to the board on demand.

(8) The board may charge interest at a rate not exceeding one per cent per month to a municipality that fails to pay its apportioned amount in accordance with subsection (7).

5. (1) This section applies to a designated area that consists of one or more local or upper-tier municipalities and territory without municipal organization.

(2) Subject to subsection (7), the costs associated with the provision of land ambulance services in a designated area shall be apportioned between the municipalities in the area and the territory without municipal organization as follows:

1. The costs associated with the provision of land ambulance services in the parts of the designated area comprised of municipalities shall be apportioned to the municipalities.
2. The costs associated with the provision of land ambulance services in the territory without municipal organization shall be apportioned to the territory.

(3) Subject to subsections (6) and (7), the costs referred to in paragraph 1 of subsection (2) shall be apportioned among the municipalities in the designated area as follows:

1. When the assessment rolls of the municipalities are returned to the clerk under section 36 of the *Assessment Act*, they shall also be provided to the delivery agent.
2. Each municipality shall provide the delivery agent with a copy of its by-law setting its tax ratios on or before the date it is required under section 363 of the *Municipal Act* to make the by-law.
3. The delivery agent shall determine, for each municipality, the amount to be apportioned to the municipality in accordance with the following formula:

$$A = B \times (C \div D)$$

where,

A = the amount to be apportioned to the municipality,

B = the costs associated with the provision of land ambulance services in the parts of the designated area comprised of municipalities,

C = the sum of the weighted assessments for all of the properties in the municipality,

D = the sum of the weighted assessments for all of the properties in all of the municipalities in the designated area.

(4) The delivery agent for the area shall inform the Minister of the share of the costs that is to be apportioned to the territory without municipal organization forthwith after determining those costs.

(5) Despite subsection 6.9 (4) of the Act, the Ministry shall pay to the delivery agent the share of the costs apportioned to the territory without municipal organization in the designated area in accordance with subsection (2).

(6) If the delivery agent for the designated area is not a board,

(a) the municipalities in the designated area may enter into an agreement reapportioning among themselves the share of the costs apportioned to them under subsection (3); and

(b) each municipality in the designated area shall pay its share of the costs to the delivery agent.

(7) If the delivery agent for the designated area is a board, the board shall apportion the costs associated with the provision of land ambulance services in the designated area in a way other than that provided in subsections (2) and (3) if,

(a) a majority of the municipalities in the designated area and of the members who represent the territory without municipal organization on the board consent to that apportionment; and

(b) those municipalities and members who have consented represent a majority of the electors in the board's district.

(8) Each of the municipalities included in the designated area and each of the members who represent territory without municipal organization on the board is entitled to one vote under clause (7) (a).

(9) For the purposes of clause (7) (b), if two or more members of the board represent territory without municipal organization in the designated area, each member shall be deemed to represent the total number of electors in the territory divided by the total number of board members who represent the territory.

(10) A resolution of the municipal council is required for a municipality to consent under subsection (7) and a signed consent of a member representing territory without municipal organization is required for the member to consent under subsection (7).

(11) If the delivery agent for the designated area is a board, each municipality in the designated area shall pay its apportioned amount to the board on demand.

(12) The board may charge interest at a rate not exceeding one per cent per month to a municipality that fails to pay its apportioned amount in accordance with subsection (11).

6. (1) Subsection (2) applies only if the designated area is a deemed designated area and the Ministry is the deemed delivery agent under section 6.10 of the Act.

(2) A local municipality in a designated area shall pay the amount due to the delivery agent on demand.

7. (1) This section applies to a designated area that consists entirely of territory without municipal organization.

(2) Despite subsection 6.9 (4) of the Act, the Ministry shall pay the costs associated with the provision of land ambulance services in the designated area to the delivery agent.

PART III SHARING OF COSTS BETWEEN COUNTIES AND SEPARATED MUNICIPALITIES

8. (1) Subject to subsections (2) and (3), this Part applies to a county and one or more local municipalities where,

- (a) the local municipalities are geographically situated within the county but do not form part of the county for municipal purposes; and

- (b) the territory that comprises the local municipalities is designated as a designated area.

(2) This section does not apply if the county and the delivery agent for the local municipalities have entered into an agreement under subsection 6 (3) of the Act.

(3) The costs associated with the provision of land ambulance services in a county and the local municipalities situated in it shall be shared by the county and local municipalities and the portion of the shared costs that the county and each municipality shall pay shall be determined in accordance with the following formula:

$$A = B \times (C \div D)$$

where,

A = the amount to be apportioned to the county or local municipality, as the case may be,

B = the shared costs associated with the provision of land ambulance services in the county and the local municipalities,

C = the sum of the weighted assessments for all of the properties in the county or in the local municipality, as the case may be,

D = the sum of the weighted assessments for all of the properties in both the county and the local municipalities.

(4) The county and each local municipality situated in the county shall pay its share of the shared costs referred to in subsection (3) to the delivery agent.

9. (1) Subject to subsection (2), this Regulation comes into force upon filing.

(2) Section 6 shall be deemed to have come into force on January 1, 1998.

ELIZABETH WITMER
Minister of Health

Dated on March 14, 1999.

15/99

ONTARIO REGULATION 130/99 made under the DAY NURSERIES ACT

Made: March 24, 1999

Filed: March 24, 1999

Amending Reg. 262 of R.R.O. 1990
(General)

Note: Since the end of 1997, Regulation 262 has been amended by Ontario Regulations 139/98, 231/98, 277/98 and 38/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. (1) Subsection 67.1 (1) of Regulation 262 of the Revised Regulations of Ontario, 1990 is amended by striking out "and" at the end of clause (b), by adding "and" at the end of clause (c) and by adding the following clause:

RÈGLEMENT DE L'ONTARIO 130/99 pris en application de la LOI SUR LES GARDERIES

pris le 24 mars 1999

déposé le 24 mars 1999

modifiant le Règl. 262 des R.R.O. de 1990
(Dispositions générales)

Remarque : Depuis la fin de 1997, le Règlement 262 a été modifié par les Règlements de l'Ontario 139/98, 231/98, 277/98 et 38/99. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1997.

1. (1) Le paragraphe 67.1 (1) du Règlement 262 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction de l'alinéa suivant :

- (d) 50 per cent of the delivery agent's costs of administration attributable to the agreement in respect of services prescribed under paragraphs 1, 2 and 7 of subsection 66.1 (2) that are provided in municipalities, as approved by the Director.

(2) Subsection 67.1 (2) of the Regulation is amended by adding the following clause:

- (a.1) 50 per cent of the delivery agent's costs of administration attributable to the agreement in respect of services prescribed under paragraphs 3 and 4 of subsection 66.1 (2) that are provided in municipalities, as approved by the Director;

(3) Subsection 67.1 (3) of the Regulation is amended by adding the following clauses:

- (a.1) with respect to children whose parents are persons in need and who are in attendance at day nurseries or private-home day care in municipalities, 50 per cent of the delivery agent's costs of administration attributable to the purchase of those day nursery services or that private-home day care, as approved by the Director;

.

- (d.1) with respect to handicapped children in attendance at day nurseries or private-home day care in municipalities, 50 per cent of the delivery agent's costs of administration attributable to the purchase of those day nursery services or that private-home day care, as approved by the Director;

(4) Clause 67.1 (3) (g) of the Regulation is revoked and the following substituted:

- (g) 50 per cent of the costs incurred by the delivery agent under the agreement with respect to determining whether parents in municipalities are persons in need;

(5) Subsection 67.1 (3) of the Regulation is further amended by striking out "and" at the end of clause (i) and by adding the following clause:

- (i.1) with respect to wage subsidies or provider enhancement grants in municipalities, 50 per cent of the delivery agent's costs of administration attributable to the provision of those wage subsidies or those provider enhancement grants, as approved by the Director;

(6) Subsection 67.1 (3) of the Regulation is further amended by adding "and" at the end of clause (j) and by adding the following clause:

- (k) with respect to wage subsidies or provider enhancement grants in territory without municipal organization, 100 per cent of the delivery agent's costs of administration attributable to the provision of those wage subsidies or those provider enhancement grants, as approved by the Director.

2. This Regulation comes into force on July 1, 1999.

- (d) 50 pour cent des coûts d'administration engagés par l'agent de prestation des services dans le cadre de l'entente relativement aux services prescrits aux termes des dispositions 1, 2 et 7 du paragraphe 66.1 (2) qui sont fournis dans les municipalités, tels qu'ils sont approuvés par le directeur.

(2) Le paragraphe 67.1 (2) du Règlement est modifié par adjonction de l'alinéa suivant :

- a.1) 50 pour cent des coûts d'administration engagés par l'agent de prestation des services dans le cadre de l'entente relativement aux services prescrits aux termes des dispositions 3 et 4 du paragraphe 66.1 (2) qui sont fournis dans les municipalités, tels qu'ils sont approuvés par le directeur.

(3) Le paragraphe 67.1 (3) du Règlement est modifié par adjonction des alinéas suivants :

- a.1) relativement aux enfants dont le père et la mère sont des personnes dans le besoin et qui fréquentent des garderies ou reçoivent des services de garde d'enfants en résidence privée dans des municipalités, 50 pour cent des coûts d'administration engagés par l'agent de prestation des services pour l'achat de ces services de garderie ou de garde d'enfants en résidence privée, tels qu'ils sont approuvés par le directeur.

.

- d.1) relativement aux enfants handicapés qui fréquentent des garderies ou reçoivent des services de garde d'enfants en résidence privée dans des municipalités, 50 pour cent des coûts d'administration engagés par l'agent de prestation des services pour l'achat de ces services de garderie ou de garde d'enfants en résidence privée, tels qu'ils sont approuvés par le directeur.

(4) L'alinéa 67.1 (3) g) du Règlement est abrogé et remplacé par ce qui suit :

- g) 50 pour cent des frais engagés par l'agent de prestation des services aux termes de l'entente pour déterminer si les père et mère qui sont dans une municipalité sont des personnes dans le besoin.

(5) Le paragraphe 67.1 (3) du Règlement est modifié en outre par adjonction de l'alinéa suivant :

- i.1) relativement aux subventions salariales ou aux subventions d'aide aux fournisseurs qui sont fournies dans les municipalités, 50 pour cent des coûts d'administration engagés par l'agent de prestation des services pour fournir ces subventions salariales ou subventions d'aide aux fournisseurs, tels qu'ils sont approuvés par le directeur.

(6) Le paragraphe 67.1 (3) du Règlement est modifié en outre par adjonction de l'alinéa suivant :

- k) relativement aux subventions salariales ou aux subventions d'aide aux fournisseurs qui sont fournies dans un territoire non érigé en municipalité, 100 pour cent des coûts d'administration engagés par l'agent de prestation des services pour fournir ces subventions salariales ou subventions d'aide aux fournisseurs, tels qu'ils sont approuvés par le directeur.

2. Le présent règlement entre en vigueur le 1^{er} juillet 1999.

ONTARIO REGULATION 131/99
made under the
ONTARIO WORKS ACT, 1997

Made: March 24, 1999
Filed: March 24, 1999

Amending O. Reg. 135/98
(Administration and Cost Sharing)

Note: Ontario Regulation 135/98 has previously been amended by Ontario Regulations 228/98, 274/98, 548/98, 549/98 and 34/99.

1. The Table to subsection 7 (2) of Ontario Regulation 135/98 is revoked and the following substituted:

TABLE

Delivery Agent	Percentage of Total
Regional Municipality of Durham	7.07124 per cent
Regional Municipality of Halton	7.40060 per cent
Regional Municipality of Peel	18.75660 per cent
City of Toronto	51.57102 per cent
Regional Municipality of York	15.20054 per cent

2. This Regulation shall be deemed to have come into force on January 1, 1999.

15/99

ONTARIO REGULATION 132/99
made under the
**ONTARIO DISABILITY SUPPORT
PROGRAM ACT, 1997**

Made: March 24, 1999
Filed: March 24, 1999

Amending O. Reg. 225/98
(Administration and Cost Sharing)

Note: Ontario Regulation 225/98 has previously been amended by Ontario Regulations 275/98, 587/98, 588/98 and 36/99.

1. The Table to paragraph 3 of subsection 2 (2) of Ontario Regulation 225/98 is revoked and the following substituted:

TABLE

Delivery Agent	Percentage of Total
Regional Municipality of Durham	7.07124 per cent
Regional Municipality of Halton	7.40060 per cent
Regional Municipality of Peel	18.75660 per cent
City of Toronto	51.57102 per cent
Regional Municipality of York	15.20054 per cent

2. This Regulation shall be deemed to have come into force on January 1, 1999.

15/99

RÈGLEMENT DE L'ONTARIO 131/99
pris en application de la
**LOI DE 1997 SUR LE PROGRAMME
ONTARIO AU TRAVAIL**

pris le 24 mars 1999
déposé le 24 mars 1999

modifiant le Règl. de l'Ont. 135/98
(Administration et partage des coûts)

Remarque : Le Règlement de l'Ontario 135/98 a été modifié antérieurement par les Règlements de l'Ontario 228/98, 274/98, 548/98, 549/98 et 34/99.

1. Le tableau du paragraphe 7 (2) du Règlement de l'Ontario 135/98 est abrogé et remplacé par ce qui suit :

TABLEAU

Agent de prestation des services	Pourcentage du total
Municipalité régionale de Durham	7,07124 pour cent
Municipalité régionale de Halton	7,40060 pour cent
Municipalité régionale de Peel	18,75660 pour cent
Cité de Toronto	51,57102 pour cent
Municipalité régionale de York	15,20054 pour cent

2. Le présent règlement est réputé être entré en vigueur le 1^{er} janvier 1999.

RÈGLEMENT DE L'ONTARIO 132/99
pris en application de la

**LOI DE 1997 SUR LE PROGRAMME ONTARIEN DE
SOUTIEN AUX PERSONNES HANDICAPÉES**

pris le 24 mars 1999
déposé le 24 mars 1999

modifiant le Règl. de l'Ont. 225/98
(Administration et partage des coûts)

Remarque : Le Règlement de l'Ontario 225/98 a été modifié antérieurement par les Règlements de l'Ontario 275/98, 587/98, 588/98 et 36/99.

1. Le tableau de la disposition 3 du paragraphe 2 (2) du Règlement de l'Ontario 225/98 est abrogé et remplacé par ce qui suit :

TABLEAU

Agent de prestation des services	Pourcentage du total
Municipalité régionale de Durham	7,07124 pour cent
Municipalité régionale de Halton	7,40060 pour cent
Municipalité régionale de Peel	18,75660 pour cent
Cité de Toronto	51,57102 pour cent
Municipalité régionale de York	15,20054 pour cent

2. Le présent règlement est réputé être entré en vigueur le 1^{er} janvier 1999.

ONTARIO REGULATION 133/99
made under the
SOCIAL ASSISTANCE REFORM ACT, 1997

Made: March 24, 1999
Filed: March 24, 1999

Amending O. Reg. 137/98
(Transition from General Welfare Assistance and
Family Benefits to Ontario Works)

Note: Ontario Regulation 137/98 has previously been amended by Ontario Regulations 229/98, 276/98, 550/98, 551/98 and 35/99.

1. The Table to paragraph 3 of subsection 23 (3) of Ontario Regulation 137/98 is revoked and the following substituted:

TABLE

Delivery Agent	Percentage of Total
Regional Municipality of Durham	7.07124 per cent
Regional Municipality of Halton	7.40060 per cent
Regional Municipality of Peel	18.75660 per cent
City of Toronto	51.57102 per cent
Regional Municipality of York	15.20054 per cent

2. This Regulation shall be deemed to have come into force on January 1, 1999.

15/99

ONTARIO REGULATION 134/99
made under the
SOCIAL HOUSING FUNDING ACT, 1997

Made: March 24, 1999
Filed: March 24, 1999

Amending O. Reg. 488/97
(General)

Note: Ontario Regulation 488/97 has previously been amended by Ontario Regulations 101/98, 170/98, 267/98, 281/98, 456/98, 636/98, 44/99 and 111/99.

1. Table 1 of Ontario Regulation 488/97 is revoked and the following substituted:

TABLE 1

GREATER TORONTO AREA

COLUMN 1	COLUMN 2
Regional Municipality of Durham	7.07124 per cent
Regional Municipality of Halton	7.40060 per cent
Regional Municipality of Peel	18.75660 per cent
City of Toronto	51.57102 per cent
Regional Municipality of York	15.20054 per cent

RÈGLEMENT DE L'ONTARIO 133/99
pris en application de la
LOI DE 1997 SUR LA RÉFORME DE L'AIDE SOCIALE

pris le 24 mars 1999
déposé le 24 mars 1999

modifiant le Règl. de l'Ont. 137/98
(Transition de l'aide sociale générale et des prestations familiales au
programme Ontario au travail)

Remarque : Le Règlement de l'Ontario 137/98 a été modifié antérieurement par les Règlements de l'Ontario 229/98, 276/98, 550/98, 551/98 et 35/99.

1. Le tableau de la disposition 3 du paragraphe 23 (3) du Règlement de l'Ontario 137/98 est abrogé et remplacé par ce qui suit :

TABLEAU

Agent de prestation des services	Pourcentage du total
Municipalité régionale de Durham	7,07124 pour cent
Municipalité régionale de Halton	7,40060 pour cent
Municipalité régionale de Peel	18,75660 pour cent
Cité de Toronto	51,57102 pour cent
Municipalité régionale de York	15,20054 pour cent

2. Le présent règlement est réputé être entré en vigueur le 1^{er} janvier 1999.

2. Table 1 of the Regulation, as it read immediately before April 1, 1999, continues to apply to the recovery of provincial social housing costs for the Greater Toronto Area in respect of billing periods that end before April 1, 1999.

3. This Regulation comes into force on April 1, 1999.

15/99

ONTARIO REGULATION 135/99
made under the
MUNICIPAL ACT

Made: March 24, 1999
Filed: March 24, 1999

**TAX MATTERS—DEADLINE FOR 1999
UPPER-TIER RATING BY-LAWS**

1. April 30, 1999 is the last date on which an upper-tier rating by-law for 1999 may be passed under subsection 366 (2) or (3) of the Act.

AL LEACH
Minister of Municipal Affairs and Housing

Dated on March 24, 1999.

15/99

ONTARIO REGULATION 136/99
made under the
GREATER TORONTO SERVICES BOARD ACT, 1998

Made: March 24, 1999
Filed: March 24, 1999

GENERAL

DEFINITION OF "WEIGHTED ASSESSMENT"

1. For the purposes of the Act, the total weighted assessment of each municipality is the following per cent of the total weighted assessment of the GTA:

1. For the City of Toronto, 51.57102 per cent.
2. For The Regional Municipality of Durham, 7.07124 per cent.
3. For The Regional Municipality of Halton, 7.40060 per cent.
4. For The Regional Municipality of Peel, 18.75660 per cent.
5. For The Regional Municipality of York, 15.20054 per cent.

ANNUAL LEVY UNDER SECTION 28 OF THE ACT

2. (1) The time for passing a by-law under subsection 28 (1) of the Act in 1999 is extended to May 31, 1999.

(2) For 1999, the by-law shall provide that the amount to be paid by each municipality shall be paid to the Board in the following instalments:

1. 50 per cent of the amount on or before June 30, 1999.
2. 50 per cent of the amount on or before September 30, 1999.

3. For 2000, the by-law under subsection 28 (1) of the Act shall provide that the amount to be paid by each municipality shall be paid to the Board in the following instalments:

1. 25 per cent of the amount required for 1999, on or before March 31, 2000.
2. 50 per cent of the amount required for 2000, less the amount of the instalment paid under paragraph 1, on or before June 30, 2000.
3. 25 per cent of the amount required for 2000, on or before September 30, 2000.

4. The balance of the amount required for 2000, on or before December 15, 2000.

AL LEACH
Minister of Municipal Affairs and Housing

Dated on March 24, 1999.

15/99

ONTARIO REGULATION 137/99
made under the
DAY NURSERIES ACT

Made: March 24, 1999
Filed: March 25, 1999

**DESIGNATION OF GEOGRAPHIC
AREAS AND DELIVERY AGENTS**

1. The territories, as constituted from time to time, of the municipalities set out in Column 1 of the following Table are designated as geographic areas and the municipality set out opposite to each geographic area in Column 2 of the Table is designated as the delivery agent for that geographic area:

TABLE

ITEM	COLUMN 1	COLUMN 2
	Geographic Areas	Delivery Agents
1.	County of Dufferin	County of Dufferin
2.	Regional Municipality of Halton	Regional Municipality of Halton
3.	County of Lennox and Addington and County of Prince Edward	County of Lennox and Addington
4.	District Municipality of Muskoka	District Municipality of Muskoka
5.	Regional Municipality of Ottawa-Carleton	Regional Municipality of Ottawa-Carleton
6.	County of Renfrew, including the City of Pembroke	County of Renfrew

2. This Regulation comes into force on April 1, 1999.

JANET ECKER
Minister of Community and Social Services

Dated on March 24, 1999.

15/99

ONTARIO REGULATION 138/99made under the
**FREEDOM OF INFORMATION AND PROTECTION
OF PRIVACY ACT**

Made: March 24, 1999

Filed: March 25, 1999

Amending Reg. 460 of R.R.O. 1990
(General)

Note: Since the end of 1997, Regulation 460 has been amended by Ontario Regulation 104/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. (1) The Schedule to Regulation 460 of the Revised Regulations of Ontario, 1990 is amended by adding the following items:

91.	Independent Electricity Market Operator	Chief Executive Officer
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140.1	Ontario Electricity Financial Corporation	Chief Executive Officer of the Corporation
140.2	Ontario Electricity Pension Services Corporation	Chief Executive Officer of the Corporation

(2) Item 159 of the Schedule to the Regulation is revoked.

2. This Regulation comes into force on the day subsection 54 (1) of the *Electricity Act, 1998* comes into force.

15/99

ONTARIO REGULATION 139/99made under the
**TRADES QUALIFICATION AND
APPRENTICESHIP ACT**

Made: March 24, 1999

Filed: March 25, 1999

Amending Reg. 1051 of R.R.O. 1990
(Electrician)

Note: Regulation 1051 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Item 6 of Schedule 1 to Regulation 1051 of the Revised Regulations of Ontario, 1990 is amended by striking out "*Power Corporation Act*" in the fifth line in Column 3 and substituting "*Electricity Act, 1998*".

2. Item 1 of Schedule 2 to the Regulation is amended by striking out "*Power Corporation Act*" in the third line in Column 3 and substituting "*Electricity Act, 1998*".

3. This Regulation comes into force on the day subsection 113 (1) of the *Electricity Act, 1998* comes into force.

15/99

RÈGLEMENT DE L'ONTARIO 138/99pris en application de la
**LOI SUR L'ACCÈS À L'INFORMATION ET LA
PROTECTION DE LA VIE PRIVÉE**

pris le 24 mars 1999

déposé le 25 mars 1999

modifiant le Règl. 460 des R.R.O. de 1990
(Dispositions générales)

Remarque : Depuis la fin de 1997, le Règlement 460 a été modifié par le Règlement de l'Ontario 104/99. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1997.

1. (1) L'annexe du Règlement 460 des Règlements refondus de l'Ontario de 1990 est modifiée par adjonction des numéros suivants :

91.	Société indépendante de gestion du marché de l'électricité	Chef de la direction
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140.1	Société financière de l'industrie de l'électricité de l'Ontario	Chef de la direction de la Société
140.2	Société de la caisse de retraite de l'industrie de l'électricité de l'Ontario	Chef de la direction de la Société

(2) Le numéro 159 de l'annexe du Règlement est abrogé.

2. Le présent règlement entre en vigueur le même jour que le paragraphe 54 (1) de la *Loi de 1998 sur l'électricité*.

ONTARIO REGULATION 140/99made under the
**TRADES QUALIFICATION AND
APPRENTICESHIP ACT**

Made: March 24, 1999

Filed: March 25, 1999

Amending Reg. 1062 of R.R.O. 1990
(Industrial Electrician)

Note: Regulation 1062 has not previously been amended.

1. Item 1 of Schedule 2 to Regulation 1062 of the Revised Regulations of Ontario, 1990 is amended by striking out "*Power Corporation Act*" in the second line in Column 2 and substituting "*Electricity Act, 1998*".

2. This Regulation comes into force on the day subsection 113 (1) of the *Electricity Act, 1998* comes into force.

15/99

ONTARIO REGULATION 141/99
made under the
TRADES QUALIFICATION AND APPRENTICESHIP ACT

Made: March 24, 1999
Filed: March 25, 1999

Amending Reg. 1076 of R.R.O. 1990
(Refrigeration and Air-Conditioning Mechanic)

Note: Regulation 1076 has not previously been amended.

1. Item 4 of Schedule 1 to Regulation 1076 of the Revised Regulations of Ontario, 1990 is amended by striking out "*Power Corporation Act*" in the fifth line in Column 3 and substituting "*Electricity Act, 1998*".

2. Item 1 of Schedule 2 to the Regulation is amended by striking out "*Power Corporation Act*" in the third line in Column 3 and substituting "*Electricity Act, 1998*".

3. This Regulation comes into force on the day subsection 113 (1) of the *Electricity Act, 1998* comes into force.

15/99

ONTARIO REGULATION 142/99
made under the
OCCUPATIONAL HEALTH AND SAFETY ACT

Made: March 24, 1999
Filed: March 25, 1999

Amending O. Reg. 67/93
(Health Care and Residential Facilities)

Note: Ontario Regulation 67/93 has not previously been amended.

1. Clause 62 (b) of Ontario Regulation 67/93 is amended by striking out "Ontario Hydro Electrical Inspection Department" and substituting "Electrical Safety Authority, as defined in the *Electricity Act, 1998*".

2. This Regulation comes into force on the day subsection 113 (1) of the *Electricity Act, 1998* comes into force.

15/99

ONTARIO REGULATION 143/99
made under the
OCCUPATIONAL HEALTH AND SAFETY ACT

Made: March 24, 1999
Filed: March 25, 1999

Amending O. Reg. 213/91
(Construction Projects)

Note: Ontario Regulation 213/91 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Clause 183 (b) of Ontario Regulation 213/91 is revoked and the following substituted:

(b) the *Ontario Hydro Corporate Safety Rules and Policies*, dated 1994.

15/99

ONTARIO REGULATION 144/99
made under the
OCCUPATIONAL HEALTH AND SAFETY ACT

Made: March 24, 1999
Filed: March 25, 1999

Amending Reg. 851 of R.R.O. 1990
(Industrial Establishments)

Note: Regulation 851 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. (1) Subsection 7 (10) of Regulation 851 of the Revised Regulations of Ontario, 1990 is amended by striking out "Ontario Hydro Electrical Inspection Department or" in the second line and substituting "Electrical Safety Authority, as defined in the *Electricity Act, 1998*, or".

(2) Subsection 7 (12) of the Regulation is revoked and the following substituted:

(12) For the purposes of this section,

"Electrical Safety Code" means the regulation titled "Electrical Safety Code" made under the *Electricity Act, 1998*.

2. Subclause 40 (b) (ii) of the Regulation is revoked and the following substituted:

(ii) the Electrical Safety Authority, as defined in the *Electricity Act, 1998*.

3. Clause 42.2 (b) of the Regulation is revoked and the following substituted:

(b) the *Ontario Hydro Corporate Safety Rules and Policies*, dated 1994.

4. (1) Subject to subsection (2), this Regulation comes into force on the day it is filed.

(2) Sections 1 and 2 come into force on the day subsection 113 (1) of the *Electricity Act, 1998* comes into force.

15/99

ONTARIO REGULATION 145/99
made under the
INDUSTRIAL STANDARDS ACT

Made: March 24, 1999
Filed: March 25, 1999

Revoking Reg. 657 of R.R.O. 1990
(Schedule—Electrical Repair and Construction Industry—Toronto)

1. Regulation 657 of the Revised Regulations of Ontario, 1990 is revoked.

15/99

ONTARIO REGULATION 146/99
made under the
HOME FOR THE AGED AND REST HOMES ACT

Made: March 24, 1999
Filed: March 25, 1999

Amending Reg. 637 of R.R.O. 1990
(General)

Note: Since the end of 1997, Regulation 637 has been amended by Ontario Regulations 42/98, 235/98 and 641/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Clause 44 (f) of Regulation 637 of the Revised Regulations of Ontario, 1990 is amended by striking out "Power Corporation Act" and substituting "Electricity Act, 1998".

2. This Regulation comes into force on the day subsection 113 (1) of the *Electricity Act, 1998* comes into force.

15/99

ONTARIO REGULATION 148/99
made under the
ELDERLY PERSONS CENTRES ACT

Made: March 24, 1999
Filed: March 25, 1999

Amending Reg. 314 of R.R.O. 1990
(General)

Note: Regulation 314 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Clause 2 (f) of Regulation 314 of the Revised Regulations of Ontario, 1990 is amended by striking out "Power Corporation Act" and substituting "Electricity Act, 1998".

2. This Regulation comes into force on the day subsection 113 (1) of the *Electricity Act, 1998* comes into force.

15/99

ONTARIO REGULATION 149/99
made under the
CHARITABLE INSTITUTIONS ACT

Made: March 24, 1999
Filed: March 25, 1999

Amending Reg. 69 of R.R.O. 1990
(General)

Note: Since the end of 1997, Regulation 69 has been amended by Ontario Regulations 41/98, 234/98 and 640/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

ONTARIO REGULATION 147/99
made under the
NURSING HOMES ACT

Made: March 24, 1999
Filed: March 25, 1999

Amending Reg. 832 of R.R.O. 1990
(General)

Note: Since the end of 1997, Regulation 832 has been amended by Ontario Regulations 43/98, 233/98 and 639/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Subsection 4 (6) of Regulation 832 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(6) Every person referred to in subsection (1) shall submit to the Director forthwith after the completion of the construction, alteration, renovation, addition or conversion, as the case may be, a certificate from the Electrical Safety Authority, as defined in the *Electricity Act, 1998*, certifying that the nursing home has been inspected and that all electrical installations and wiring in the nursing home conform to the Electrical Safety Code made under the *Electricity Act, 1998*.

2. This Regulation comes into force on the day subsection 113 (1) of the *Electricity Act, 1998* comes into force.

15/99

RÈGLEMENT DE L'ONTARIO 148/99
pris en application de la
LOI SUR LES CENTRES POUR PERSONNES ÂGÉES

pris le 24 mars 1999
déposé le 25 mars 1999

modifiant le Règl. 314 des R.R.O. de 1990
(Dispositions générales)

Remarque : Le Règlement 314 a été modifié antérieurement. Ces modifications sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1997.

1. L'alinéa 2 f) du Règlement 314 des Règlements refondus de l'Ontario de 1990 est modifié par substitution de «Loi de 1998 sur l'électricité» à «Loi sur la Société de l'électricité».

2. Le présent règlement entre en vigueur le même jour que le paragraphe 113 (1) de la Loi de 1998 sur l'électricité.

1. Clause 4 (f) of Regulation 69 of the Revised Regulations of Ontario, 1990 is amended by striking out "Power Corporation Act" and substituting "Electricity Act, 1998".

2. This Regulation comes into force on the day subsection 113 (1) of the *Electricity Act, 1998* comes into force.

15/99

ONTARIO REGULATION 150/99
made under the
HOMES FOR RETARDED PERSONS ACT

Made: March 24, 1999
Filed: March 25, 1999

Amending Reg. 635 of R.R.O. 1990
(General)

Note: Regulation 635 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Clause 2 (f) of Regulation 635 of the Revised Regulations of Ontario, 1990 is amended by striking out "Power Corporation Act" and substituting "Electricity Act, 1998".

2. This Regulation comes into force on the day subsection 113 (1) of the *Electricity Act, 1998* comes into force.

15/99

ONTARIO REGULATION 151/99
made under the
ENERGY ACT

Made: March 24, 1999
Filed: March 25, 1999

Amending O. Reg. 83/97
(Compressed Natural Gas Storage, Handling and Utilization)

Note: Ontario Regulation 83/97 has not previously been amended.

1. Clause 6 (3) (d) of Ontario Regulation 83/97 is revoked and the following substituted:

- (d) evidence acceptable to the Director that a certificate of inspection has been issued by the Electrical Safety Authority, as defined in the *Electricity Act, 1998*, certifying compliance of the electrical system of the refuelling station with the Electrical Safety Code made under the *Electricity Act, 1998*; and

2. This Regulation comes into force on the day subsection 113 (1) of the *Electricity Act, 1998* comes into force.

15/99

ONTARIO REGULATION 152/99
made under the
BUILDING CODE ACT, 1992

Made: March 24, 1999
Filed: March 25, 1999

Amending O. Reg. 403/97
(General)

Note: Ontario Regulation 403/97 has previously been amended by Ontario Regulations 22/98, 102/98 and 122/98.

1. Sentence 3.6.2.1. (6) of Ontario Regulation 403/97 is amended by striking out "Power Corporation Act" in the third line and substituting "Electricity Act, 1998".

RÈGLEMENT DE L'ONTARIO 150/99
pris en application de la
LOI SUR LES FOYERS POUR DÉFICIENTS MENTAUX

pris le 24 mars 1999
déposé le 25 mars 1999

modifiant le Règl. 635 des R.R.O. de 1990
(Dispositions générales)

Remarque : Le Règlement 635 a été modifié antérieurement. Ces modifications sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1997.

1. L'alinéa 2 f) du Règlement 635 des Règlements refondus de l'Ontario de 1990 est modifié par substitution de «*Loi de 1998 sur l'électricité*» à «*Loi sur la Société de l'électricité*».

2. Le présent règlement entre en vigueur le même jour que le paragraphe 113 (1) de la *Loi de 1998 sur l'électricité*.

2. Sentence 3.6.2.8. (1) of the Regulation is amended by striking out "Power Corporation Act" in the second line and substituting "Electricity Act, 1998".

3. This Regulation comes into force on the day subsection 113 (1) of the *Electricity Act, 1998* comes into force.

15/99

ONTARIO REGULATION 153/99
made under the
ENVIRONMENTAL PROTECTION ACT

Made: March 24, 1999
Filed: March 25, 1999

ONTARIO POWER GENERATION INC.

1. (1) Ontario Power Generation Inc. shall ensure that, in the aggregate,

- (a) emissions of sulphur dioxide from the fossil-fuelled electric generating stations of Ontario Power Generation Inc. and its subsidiaries do not exceed 175 kilotonnes in any year; and
- (b) emissions of sulphur dioxide and of nitric oxide from the fossil-fuelled electric generating stations of Ontario Power Generation Inc. and its subsidiaries do not exceed 215 kilotonnes in any year.

(2) In subsection (1),

"subsidiary" has the same meaning as in the *Electricity Act, 1998*.

(3) For the purpose of subsection (1) in 1998, the fossil-fuelled electric generating stations of Ontario Hydro shall be deemed to be fossil-fuelled electric generating stations of Ontario Power Generation Inc.

2. Ontario Power Generation Inc. shall perform such studies and research as are necessary to determine the options available to enable it to comply with section 1 and, by the 31st day of January and July in each year, shall file written reports with the Minister of Energy, Science and Technology and the Minister of the Environment describing the studies and research and the means that will be used to comply with section 1.

3. Ontario Power Generation Inc. shall file written reports with the Minister of Energy, Science and Technology and the Minister of the Environment by the 1st day of March, June, September and December in each year setting out, for the electric generating stations to which section 1 applies, the amount of the emissions of sulphur dioxide and nitric oxide for the three-month period ending on the last day of March, June, September or December immediately before the filing of the report.

4. Regulation 355 of the Revised Regulations of Ontario, 1990 is revoked.

5. This Regulation comes into force on the day subsection 54 (1) of the *Electricity Act*, 1998 comes into force.

15/99

ONTARIO REGULATION 154/99
made under the
ENVIRONMENTAL PROTECTION ACT

Made: March 24, 1999
Filed: March 25, 1999

Amending Reg. 338 of R.R.O. 1990
(Boilers)

Note: Regulation 338 has not previously been amended.

1. Clause 2 (2) (a) of Regulation 338 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(a) to boilers at an electric generating station of Ontario Power Generation Inc. or a subsidiary of Ontario Power Generation Inc.;

2. This Regulation comes into force on the day subsection 54 (1) of the *Electricity Act*, 1998 comes into force.

15/99

ONTARIO REGULATION 155/99
made under the
MUNICIPAL ACT

Made: March 24, 1999
Filed: March 25, 1999

Amending O. Reg. 799/94
(Debt and Financial Obligation Limits)

Note: Ontario Regulation 799/94 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Paragraph 16 of subsection 4 (5) of Ontario Regulation 799/94 is revoked and the following substituted:

16. Agreements for the purchase of electricity by the municipality or a local board of the municipality where the electricity to be purchased is not primarily for the consumption of the municipality or a local board of the municipality.

2. This Regulation comes into force on the day subsection 54 (1) of the *Electricity Act*, 1998 comes into force.

15/99

ONTARIO REGULATION 156/99
made under the
MINING ACT

Made: March 24, 1999
Filed: March 25, 1999

Amending Reg. 765 of R.R.O. 1990
(Exploratory Licences and Leases for Oil and Natural Gas
North of the Fifty-first Parallel of Latitude)

Note: Regulation 765 has not previously been amended.

1. Subclause 4 (8) (a) (ii) of Regulation 765 of the Revised Regulations of Ontario, 1990 is amended by striking out "Ontario Hydro" and substituting "Ontario Electricity Financial Corporation".

2. This Regulation comes into force on the day subsection 54 (1) of the *Electricity Act*, 1998 comes into force.

15/99

ONTARIO REGULATION 157/99
made under the
GAME AND FISH ACT

Made: March 24, 1999
Filed: March 25, 1999

Amending Reg. 530 of R.R.O. 1990
(Wildlife Management Units)

Note: Since the end of 1997, Regulation 530 has been amended by Ontario Regulation 348/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. (1) The description of Wildlife Management Unit 3 set out in the Schedule to Regulation 530 of the Revised Regulations of Ontario, 1990 is amended by striking out "Ontario Hydro" in the 14th line and substituting "Ontario Hydro Services Company Inc. or one of its subsidiaries".

(2) The description of Wildlife Management Unit 4 set out in the Schedule to the Regulation is amended by striking out "Ontario Hydro" in the seventh and eighth-last lines and in the tenth-last line and substituting in each case "Ontario Hydro Services Company Inc. or one of its subsidiaries".

(3) The description of Wildlife Management Unit 9B set out in the Schedule to the Regulation is amended by striking out "Ontario Hydro" in the eighth and ninth lines and substituting "Ontario Hydro Services Company Inc. or one of its subsidiaries".

(4) The description of Wildlife Management Unit 10 set out in the Schedule to the Regulation is amended by striking out "Ontario Hydro" in the thirteenth-last line and substituting "Ontario Hydro Services Company Inc. or one of its subsidiaries".

(5) The description of Wildlife Management Unit 12A set out in the Schedule to the Regulation is amended by striking out "Ontario Hydro" in the fifth-last line.

(6) The description of Wildlife Management Unit 12B set out in the Schedule to the Regulation is amended by striking out "Ontario Hydro" in the tenth line of paragraph 2.

(7) The description of Wildlife Management Unit 16A set out in the Schedule to the Regulation is amended by striking out "Ontario Hydro" in the 16th line of paragraph 1 and substituting "Ontario Hydro Services Company Inc. or one of its subsidiaries".

2. This Regulation comes into force on the day subsection 54 (1) of the *Electricity Act, 1998* comes into force.

15/99

ONTARIO REGULATION 158/99
made under the
PUBLIC LANDS ACT

Made: March 24, 1999

Filed: March 25, 1999

Amending O. Reg. 106/95
(Hydro-Electricity Charges)

Note: Ontario Regulation 106/95 has not previously been amended.

1. The definition of "holder of a water power lease" in section 1 of Ontario Regulation 106/95 is amended by striking out "Ontario Hydro" and substituting "Ontario Power Generation Inc. or any of its subsidiaries".

2. This Regulation comes into force on the day subsection 54 (1) of the *Electricity Act, 1998* comes into force.

15/99

ONTARIO REGULATION 159/99
made under the
ELECTRICITY ACT, 1998

Made: March 24, 1999

Filed: March 25, 1999

REFERENCES TO ONTARIO HYDRO

1. The references in the following provisions to Ontario Hydro, including the references to The Hydro-Electric Power Commission of Ontario that were deemed to be references to Ontario Hydro by section 19 of *The Power Commission Amendment Act, 1973*, are deemed to be references to the Generation Corporation and its subsidiaries:

1. Sections 2 and 8 of *The Niagara Development Act, 1951*.
2. Section 3 of *The Ontario Niagara Development Act*, being chapter 20 of the Statutes of Ontario, 1916.
3. Sections 3 and 8 of *The Ontario Niagara Development Act, 1917*.
4. Sections 2 and 5 and subsection 8 (1) of *The St. Lawrence Development Act, 1952 (No. 2)*.

2. (1) The reference to Ontario Hydro in the first line of subsection 24 (8) of the *Power Corporation Act* is deemed to be a reference to the IMO, the Generation Corporation, the Services Corporation and the Electrical Safety Authority.

(2) Subsection (1) is subject to the following conditions:

1. Subsection (1) applies only in respect of rules that are made under subsection 24 (8) of the *Power Corporation Act* with respect to the FCPP.
2. Subsection (1) applies only in respect of rules that are made under subsection 24 (8) of the *Power Corporation Act* with the

unanimous consent of the IMO, the Generation Corporation, the Services Corporation and the Electrical Safety Authority.

(3) In this section,

"FCPP" has the same meaning as in Part VII of the *Electricity Act, 1998*.

3. (1) The references to Ontario Hydro in subsection 83.2 (29) of the *Power Corporation Act* are deemed, with respect to an expanded area referred to in that subsection, to be references to the subsidiary of the Services Corporation that was distributing electricity within the expanded area immediately before the transfer date referred to in that subsection.

(2) The reference to Ontario Hydro in subsection 83.2 (31) of the *Power Corporation Act* is deemed to be a reference to the Services Corporation and its subsidiaries.

4. The reference to Ontario Hydro in the seventeenth and eighteenth lines of subsection 126 (2) of the *Power Corporation Act* and the reference to Ontario Hydro in subsection 126 (3) of that Act are deemed, with respect to each city to which those subsections apply, to be references to the municipal council of that city.

5. This Regulation comes into force on the day subsection 54 (1) of the *Electricity Act, 1998* comes into force.

15/99

ONTARIO REGULATION 160/99
made under the
ELECTRICITY ACT, 1998

Made: March 24, 1999

Filed: March 25, 1999

DEFINITIONS AND EXEMPTIONS

DEFINITIONS

1. In the Act and the regulations,

"person" includes,

- (a) a municipal corporation,
- (b) a commission established under the *Public Utilities Act* or any other general or special Act, and
- (c) any body, however established, through which a municipal corporation generates, transmits, distributes or retails electricity.

2. In sections 125 and 152 of the Act,

"execute" includes, with respect to an instrument that may be in an electronic format, to do what is required to complete the instrument in the electronic format.

EXEMPTIONS

3. Subsection 50 (3) of the Act does not apply to a subsidiary of the Services Corporation if everything that the subsidiary uses to transmit or distribute electricity outside Ontario was owned or operated by Ontario Hydro on March 31, 1999 and is located in jurisdictions bordering Ontario.

4. Subsection 50 (4) of the Act does not apply to a subsidiary of the Services Corporation if the only activity engaged in by the subsidiary, other than transmitting or distributing electricity, is generating or retailing electricity for use by consumers in communities in which the subsidiary distributes electricity but that are not connected to a transmis-

sion system owned or operated by the subsidiary or any other subsidiary of the Services Corporation.

COMMENCEMENT

5. This Regulation comes into force on the day subsection 54 (1) of the *Electricity Act, 1998* comes into force.

15/99

ONTARIO REGULATION 161/99 made under the ONTARIO ENERGY BOARD ACT, 1998

Made: March 24, 1999
Filed: March 25, 1999

DEFINITIONS AND EXEMPTIONS

DEFINITIONS

1. In the Act and the regulations,

"person" includes a municipal corporation and a public utility commission;

"public utility commission" means,

- (a) a commission established under the *Public Utilities Act* or any other general or special Act, or
- (b) any body, however established, through which a municipal corporation generates, transmits, distributes or retails electricity, other than a corporation established pursuant to section 142 of the *Electricity Act, 1998*.

EXEMPTIONS

2. (1) In this section,

"Class A distributor" means a distributor with annual revenues of more than \$1,000,000 from rates and other charges approved by the Board;

"motor vehicle fuel gas" means gas that has been liquefied or compressed to 2100 or more kilopascals and is sold or prepared and held for sale only for use as a motor vehicle fuel.

(2) Section 36 of the Act does not apply to,

- (a) a Class A distributor in respect of the sale, transmission, distribution or storage of motor vehicle fuel gas if,
 - (i) the value of the gas immediately before it was liquefied or compressed into motor vehicle fuel gas is recorded in a special account,
 - (ii) the value recorded is approved by the Board, and
 - (iii) all amounts recorded in the special account are reported as revenue for the purposes of section 36 of the Act; or
- (b) any other person in respect of the sale, transmission, distribution or storage of motor vehicle fuel gas.

3. Section 36 of the Act does not apply to the sale, transmission, distribution or storage of gas by a distributor who distributes less than 3,000,000 cubic metres of gas annually.

4. Clauses 57 (a) and (b) of the Act do not apply to a municipal corporation that owns a transmission system or distribution system if,

(a) the system is operated by a commission established under the *Public Utilities Act* or any other general or special Act; and

(b) the commission is licensed to operate the system.

5. Section 71 of the Act does not apply to a subsidiary of Ontario Hydro Services Company Inc. if the only activity engaged in by the subsidiary, other than transmitting or distributing electricity, is generating or retailing electricity for use by consumers in communities in which the subsidiary distributes electricity but that are not connected to a transmission system owned or operated by the subsidiary or any other subsidiary of Ontario Hydro Services Company Inc.

6. Subsections 78 (1) and (2) of the Act do not apply to a transmitter or distributor if the Board has not made an order that is applicable to the transmitter or distributor under subsection 78 (3) of the Act.

COMMENCEMENT

7. This Regulation comes into force on the day subsection 54 (1) of the *Electricity Act, 1998* comes into force.

15/99

ONTARIO REGULATION 162/99 made under the POWER CORPORATION ACT

Made: March 24, 1999
Filed: March 25, 1999

Revoking Reg. 932 of R.R.O. 1990
(Debt Guarantee Fees)

1. Regulation 931 of the Revised Regulations of Ontario, 1990 and Ontario Regulation 98/91 are revoked.

2. This Regulation comes into force on the day subsection 54 (1) of the *Electricity Act, 1998* comes into force.

15/99

ONTARIO REGULATION 163/99 made under the POWER CORPORATION ACT

Made: March 11, 1999
Approved: March 24, 1999
Filed: March 25, 1999

Revoking O. Reg. 149/92
(Prescribed Investments)

1. Ontario Regulation 149/92 is revoked.

2. This Regulation comes into force on the day subsection 54 (1) of the *Electricity Act, 1998* comes into force.

ONTARIO HYDRO:

RONALD W. OSBORNE
President and Chief Executive Officer

JOAN PRIOR
Acting Secretary

Dated on March 11, 1999.

15/99

ONTARIO REGULATION 164/99**made under the
ELECTRICITY ACT, 1998**

Made: March 11, 1999
Approved: March 24, 1999
Filed: March 25, 1999

ELECTRICAL SAFETY CODE

1. (1) Subject to subsection (2), the code issued by the Canadian Standards Association entitled "Canadian Electrical Code Part 1 C22.1-98", as amended by the document entitled "Ontario Amendments to the Canadian Electrical Code Part 1, C22.1-98", dated March 31, 1998 and issued by Ontario Hydro, are together adopted as the Electrical Safety Code.

(2) The reference to Ontario Hydro in the definition of "inspection department" on page 2 of the document entitled "Ontario Amendments to the Canadian Electrical Code Part 1, C22.1-98", dated March 31, 1998 and issued by Ontario Hydro, shall be deemed to be a reference to the Electrical Safety Authority.

2. Every act or omission in connection with the generation, transmission, distribution, retail or use of electricity in Ontario must be done or made in compliance with the Electrical Safety Code.

3. The Electrical Safety Authority shall ensure that an adequate supply of copies of the Electrical Safety Code is made available to the public.

4. Ontario Regulation 481/98 is revoked.

5. This Regulation comes into force on the day subsection 113 (1) of the *Electricity Act, 1998* comes into force.

ELECTRICAL SAFETY AUTHORITY:

DWAIN EAMER
President

DANE MACCARTHY
Chair

MICHAEL LIO
Director

Dated on March 11, 1999.

15/99

ONTARIO REGULATION 165/99**made under the
ONTARIO WORKS ACT, 1997**

Made: March 10, 1999
Filed: March 26, 1999

Amending O. Reg. 134/98
(General)

Note: Ontario Regulation 134/98 has previously been amended by Ontario Regulations 227/98, 272/98, 546/98 and 547/98.

1. Clause 2 (3) (d) of Ontario Regulation 134/98 is amended by striking out "or" at the end of subclause (i), by adding "or" at the end of subclause (ii) and by adding the following subclause:

(iii) is unable to attend school for reasons outside his or her control and the administrator is satisfied that he or she will be attending school or a program approved by the administrator at the next earliest opportunity.

2. Subsection 7 (2) of the Regulation is amended by striking out "or" at the end of clause (b), by adding "or" at the end of clause (c) and by adding the following clause:

(d) a member of the benefit unit who, with the prior approval of the administrator, resides in a facility for the purpose of participating in a residential substance abuse recovery program for a period not exceeding three months.

3. Section 11 of the Regulation is amended by adding the following subsection:

(4) A person to whom subsection (3) applies and who has a dependent child may apply for income assistance on behalf of the dependent child.

4. Subsection 38 (1) of the Regulation is revoked and the following substituted:

(1) Subject to subsections (2) and (3), the prescribed limit for assets for a benefit unit, for the purposes of clause 7 (3) (b) of the Act, is equal to,

RÈGLEMENT DE L'ONTARIO 165/99**pris en application de la
LOI DE 1997 SUR LE PROGRAMME
ONTARIO AU TRAVAIL**

pris le 10 mars 1999
déposé le 26 mars 1999

modifiant le Règl. de l'Ont. 134/98
(Dispositions générales)

Remarque : Le Règlement de l'Ontario 134/98 a été modifié antérieurement par les Règlements de l'Ontario 227/98, 272/98, 546/98 et 547/98.

1. L'alinéa 2 (3) d) du Règlement de l'Ontario 134/98 est modifié par insertion de «soit» au début du sous-alinéa (i) et du sous-alinéa (ii) et par adjonction du sous-alinéa suivant :

(iii) soit ne peut fréquenter l'école pour des raisons indépendantes de sa volonté et l'administrateur est convaincu que l'enfant fréquentera l'école ou suivra un programme approuvé par lui à la prochaine occasion.

2. Le paragraphe 7 (2) du Règlement est modifié par adjonction de l'alinéa suivant :

d) le membre du groupe de prestataires qui, avec l'approbation préalable de l'administrateur et pendant au plus trois mois, réside dans un établissement pour y suivre un programme de traitement ou de réadaptation pour toxicomanes.

3. L'article 11 du Règlement est modifié par adjonction du paragraphe suivant :

(4) La personne à qui s'applique le paragraphe (3) et qui a un enfant à charge peut demander l'aide au revenu au nom de l'enfant.

4. Le paragraphe 38 (1) du Règlement est abrogé et remplacé par ce qui suit :

(1) Sous réserve des paragraphes (2) et (3), le plafond prescrit de l'avoir d'un groupe de prestataires, pour l'application de l'alinéa 7 (3) b) de la Loi, correspond à ce qui suit :

- (a) if the applicant or recipient is a single person, \$520;
- (b) if the applicant or recipient has a spouse included in the benefit unit and there are no other dependants, \$901;
- (c) if the applicant or recipient has a spouse included in the benefit unit and there are one or more other dependants, \$1530 for the applicant or recipient, the spouse and one other dependant plus \$500 for each additional dependant;
- (d) if the applicant or recipient has no spouse included in the benefit unit and there are one or more dependants, \$1457 for the applicant or recipient and one dependant plus \$500 for each additional dependant; and
- (e) if the applicant or recipient is a person to whom subsection 11 (2) or (4) applies, \$500 for each dependent child.

5. (1) Paragraph 5 of subsection 39 (1) of the Regulation is revoked and the following substituted:

5. Subject to subsection (2),

- i. with respect to one motor vehicle, the lesser of the value of the person's interest in it and \$5,000, and
- ii. if there are additional motor vehicles that are required to enable persons to participate in employment assistance activities or to maintain employment, for each additional vehicle the lesser of the value of the person's interest in the vehicle and \$5,000.

(2) Paragraph 12 of subsection 39 (1) of the Regulation is amended by adding at the beginning "Subject to subsection (3)".

(3) Subsection 39 (1) of the Regulation is amended by adding the following paragraphs:

- 17. That portion of a loan that the administrator is satisfied will be applied within a reasonable period to the payment of first and last month's rent necessary to secure accommodation for the benefit unit.
- 18. That portion of a loan that the administrator is satisfied will be applied within a reasonable period to the purchase of a motor vehicle required for a participant's employment assistance activities or for a person to maintain employment.

(4) Subsection 39 (1) of the Regulation is amended by adding the following paragraph:

- 19. A payment received under the Ontario Hepatitis C Assistance Plan.

(5) Subsection 39 (2) of the Regulation is revoked and the following substituted:

(2) The limits set out in paragraph 5 of subsection (1) apply only after the person has been in continuous receipt of income assistance for at least six months.

(6) Section 39 of the Regulation is amended by adding the following subsection:

(3) An exemption under paragraph 12 of subsection (1) shall not apply to a payment made under the *Workplace Safety and Insurance Act, 1997* or the *Workers' Compensation Act*.

6. Paragraph 8 of the definition of "shelter" in subsection 42 (1) of the Regulation is amended by adding the following subparagraph:

- a) si l'auteur de la demande ou le bénéficiaire est une personne seule, 520 \$;
- b) si l'auteur de la demande ou le bénéficiaire a un conjoint compris dans le groupe de prestataires et qu'il n'y a aucune autre personne à charge, 901 \$;
- c) si l'auteur de la demande ou le bénéficiaire a un conjoint compris dans le groupe de prestataires et qu'il y a une ou plusieurs autres personnes à charge, 1 530 \$ pour l'auteur de la demande ou le bénéficiaire, le conjoint et une autre personne à charge plus 500 \$ pour chaque personne à charge supplémentaire;
- d) si l'auteur de la demande ou le bénéficiaire n'a pas de conjoint compris dans le groupe de prestataires et qu'il y a une ou plusieurs personnes à charge, 1 457 \$ pour l'auteur de la demande ou le bénéficiaire et une personne à charge plus 500 \$ pour chaque personne à charge supplémentaire;
- e) si l'auteur de la demande ou le bénéficiaire est une personne à qui s'applique le paragraphe 11 (2) ou (4), 500 \$ pour chaque enfant à charge.

5. (1) La disposition 5 du paragraphe 39 (1) du Règlement est abrogée et remplacée par ce qui suit :

5. Sous réserve du paragraphe (2) :

- i. à l'égard d'un véhicule automobile, le moindre de la valeur de l'intérêt de la personne sur celui-ci et de 5 000 \$,
- ii. si des véhicules automobiles supplémentaires sont nécessaires pour permettre à des personnes de participer à des activités d'aide à l'emploi ou de conserver un emploi, pour chaque véhicule supplémentaire, le moindre de la valeur de l'intérêt de la personne sur le véhicule et de 5 000 \$.

(2) La disposition 12 du paragraphe 39 (1) du Règlement est modifiée par insertion de «Sous réserve du paragraphe (3),» au début de la disposition.

(3) Le paragraphe 39 (1) du Règlement est modifié par adjonction des dispositions suivantes :

- 17. La partie d'un prêt dont l'administrateur est convaincu qu'elle sera affectée, dans un délai raisonnable, au paiement des premier et dernier mois de loyer nécessaire en vue d'obtenir un logement pour le groupe de prestataires.
- 18. La partie d'un prêt dont l'administrateur est convaincu qu'elle sera affectée, dans un délai raisonnable, à l'achat d'un véhicule automobile nécessaire pour les activités d'aide à l'emploi d'un participant ou pour qu'une personne conserve un emploi.

(4) Le paragraphe 39 (1) du Règlement est modifié par adjonction de la disposition suivante :

- 19. Un paiement reçu dans le cadre du Programme ontarien d'aide aux victimes de l'hépatite C.

(5) Le paragraphe 39 (2) du Règlement est abrogé et remplacé par ce qui suit :

(2) Les plafonds prévus à la disposition 5 du paragraphe (1) ne s'appliquent qu'à partir du moment où la personne reçoit l'aide au revenu de façon continue depuis au moins six mois.

(6) L'article 39 du Règlement est modifié par adjonction du paragraphe suivant :

(3) Une exemption prévue à la disposition 12 du paragraphe (1) ne doit pas s'appliquer à un paiement effectué aux termes de la *Loi de 1997 sur la sécurité professionnelle et l'assurance contre les accidents du travail* ou de la *Loi sur les accidents du travail*.

6. La disposition 8 de la définition de «logement» au paragraphe 42 (1) du Règlement est modifiée par adjonction de la sous-disposition suivante :

iii. Rental of a furnace and a hot water heater.

7. Subsection 44 (2) of the Regulation is amended by striking out the portion before paragraph 1 and substituting the following:

(2) The budgetary requirements for an applicant or recipient who is a sole support parent to whom subsection 11 (2) or (4) applies or is a sole support parent who is a dependant under the *Ontario Disability Support Program Act, 1997* shall be equal to the sum of the following amounts:

.

8. The Regulation is amended by adding the following section:

**REDUCTION OF BUDGETARY REQUIREMENTS—
PERSON IN RESIDENTIAL SUBSTANCE ABUSE
RECOVERY PROGRAM**

47.1 If a member of the benefit unit resides in a facility for the purpose of participating in a residential substance abuse recovery program, the administrator may reduce the budgetary requirements for that member.

9. Subsection 49 (2) of the Regulation is revoked and the following substituted:

(2) The percentage referred to in subparagraph iii of paragraph 1 of subsection (1) shall be,

- a) 25 per cent, if the total number of months the person has had income from employment, while receiving social assistance, is less than or equal to 12;
- b) 20 per cent, if the total number of months the person has had income from employment, while receiving social assistance, is greater than 12 and less than or equal to 24;
- c) 15 per cent, if the total number of months the person has had income from employment, while receiving social assistance, is greater than 24 and less than or equal to 36;
- d) 10 per cent, if the total number of months the person has had income from employment, while receiving social assistance, is greater than 36 and less than or equal to 48;
- e) 5 per cent, if the total number of months the person has had income from employment, while receiving social assistance, is greater than 48 and less than or equal to 60; and
- f) 0 per cent, if the total number of months the person has had income from employment, while receiving social assistance, is greater than 60.

10. Section 52 of the Regulation is amended by adding the following paragraph:

9. A payment received under section 8.5 of the *Income Tax Act*.

11. Section 53 of the Regulation is amended by adding the following paragraph:

10. A grant received under the *Employment Insurance Act* (Canada) and used for the purpose of purchasing a training course approved by the administrator.

12. (1) Paragraph 1 of subsection 54 (1) of the Regulation is amended by striking out "or" at the end of subparagraph iii and by adding the following subparagraphs:

- v. applied or will be applied to the purchase of a motor vehicle required for employment assistance activities or to maintain employment, or

iii. La location d'un appareil de chauffage à air chaud et d'un chauffe-eau.

7. Le paragraphe 44 (2) du Règlement est modifié par substitution de ce qui suit au passage qui précède la disposition 1 :

(2) Les besoins matériels de l'auteur d'une demande ou du bénéficiaire qui est un père ou une mère seul soutien de famille à qui s'applique le paragraphe 11 (2) ou (4) ou un père ou une mère seul soutien de famille qui est une personne à charge aux termes de la *Loi de 1997 sur le Programme ontarien de soutien aux personnes handicapées* correspondent à la somme des montants suivants :

.

8. Le Règlement est modifié par adjonction de l'article suivant :

**RÉDUCTION DES BESOINS MATÉRIELS —
PERSONNE SUIVANT EN ÉTABLISSEMENT UN PROGRAMME
DE TRAITEMENT OU DE RÉADAPTATION POUR TOXICOMANES**

47.1 Si un membre du groupe de prestataires réside dans un établissement pour y suivre un programme de traitement ou de réadaptation pour toxicomanes, l'administrateur peut réduire ses besoins matériels.

9. Le paragraphe 49 (2) du Règlement est abrogé et remplacé par ce qui suit :

(2) Le pourcentage visé à la sous-disposition iii de la disposition 1 du paragraphe (1) correspond à ce qui suit :

- a) 25 pour cent, si le nombre total de mois pendant lesquels la personne a eu un revenu d'emploi, tout en recevant de l'aide sociale, est inférieur ou égal à 12;
- b) 20 pour cent, si le nombre total de mois pendant lesquels la personne a eu un revenu d'emploi, tout en recevant de l'aide sociale, est supérieur à 12 et inférieur ou égal à 24;
- c) 15 pour cent, si le nombre total de mois pendant lesquels la personne a eu un revenu d'emploi, tout en recevant de l'aide sociale, est supérieur à 24 et inférieur ou égal à 36;
- d) 10 pour cent, si le nombre total de mois pendant lesquels la personne a eu un revenu d'emploi, tout en recevant de l'aide sociale, est supérieur à 36 et inférieur ou égal à 48;
- e) 5 pour cent, si le nombre total de mois pendant lesquels la personne a eu un revenu d'emploi, tout en recevant de l'aide sociale, est supérieur à 48 et inférieur ou égal à 60;
- f) 0 pour cent, si le nombre total de mois pendant lesquels la personne a eu un revenu d'emploi, tout en recevant de l'aide sociale, est supérieur à 60.

10. L'article 52 du Règlement est modifié par adjonction de la disposition suivante :

9. Un paiement reçu aux termes de l'article 8.5 de la *Loi de l'impôt sur le revenu*.

11. L'article 53 du Règlement est modifié par adjonction de la disposition suivante :

10. Une subvention reçue aux termes de la *Loi sur l'assurance-emploi* (Canada) et utilisée pour acheter un cours de formation approuvé par l'administrateur.

12. (1) La disposition 1 du paragraphe 54 (1) du Règlement est modifiée par adjonction des sous-dispositions suivantes :

- v. est ou sera affectée à l'achat d'un véhicule automobile nécessaire pour les activités d'aide à l'emploi ou pour conserver un emploi,

- vi. applied or will be applied to the payment of first and last month's rent necessary to secure accommodation for the benefit unit.

(2) Subsection 54 (1) of the Regulation is amended by adding the following paragraph:

10. A payment received under the Ontario Hepatitis C Assistance Plan.

(3) Subsection 54 (2) of the Regulation is amended by adding at the end "or the *Workers' Compensation Act*".

13. Paragraph 1 of subsection 55 (1) of the Regulation is amended by striking out "and" at the end of subparagraph iv, by adding "and" at the end of subparagraph v and by adding the following subparagraph:

- vi. the cost of batteries and necessary repairs for mobility devices used by a member of the benefit unit if the cost of batteries and repairs is not otherwise reimbursed or subject to reimbursement.

14. Subsection 62 (1) of the Regulation is revoked and the following substituted:

(1) For the purposes of subsections 20 (2) and 23 (3) of the Act, the prescribed amount is,

- (a) 10 per cent of basic financial assistance; and
- (b) 100 per cent of any arrears of basic financial assistance or income support under the *Ontario Disability Support Program Act, 1997* payable to the recipient.

15. (1) Subject to subsections (2), (3) and (4), this Regulation comes into force on April 1, 1999.

(2) Subsections 5 (1) and (5) and sections 3, 7, 9 and 11 shall be deemed to have come into force on May 1, 1998.

(3) Section 10 shall be deemed to have come into force on July 1, 1998.

(4) Subsections 5 (4) and 12 (2) shall be deemed to have come into force on December 1, 1998.

15/99

ONTARIO REGULATION 166/99
made under the
ONTARIO WORKS ACT, 1997

Made: March 10, 1999
Filed: March 26, 1999

Amending O. Reg. 135/98
(Administration and Cost Sharing)

Note: Ontario Regulation 135/98 has previously been amended by Ontario Regulations 228/98, 274/98, 548/98, 549/98, 34/99 and 131/99.

1. Section 7 of Ontario Regulation 135/98 is amended by adding the following subsection:

(1.1) Despite subsection (1), if the delivery agent is a band, the subsidy payable by Ontario under clause (1) (a) shall be 100 per cent of the assistance costs with respect to those assistance costs the band pays to or on behalf of a person who,

- vi. est ou sera affectée au paiement des premier et dernier mois de loyer nécessaire en vue d'obtenir un logement pour le groupe de prestataires.

(2) Le paragraphe 54 (1) du Règlement est modifié par adjonction de la disposition suivante :

10. Un paiement reçu dans le cadre du Programme ontarien d'aide aux victimes de l'hépatite C.

(3) Le paragraphe 54 (2) du Règlement est modifié par adjonction de «ou de la *Loi sur les accidents du travail*».

13. La disposition 1 du paragraphe 55 (1) du Règlement est modifiée par adjonction de la sous-disposition suivante :

- vi. le coût des piles et des réparations nécessaires des appareils et accessoires d'aide à la mobilité utilisés par un membre du groupe de prestataires s'il n'est pas par ailleurs remboursé ou susceptible de l'être.

14. Le paragraphe 62 (1) du Règlement est abrogé et remplacé par ce qui suit :

(1) Pour l'application des paragraphes 20 (2) et 23 (3) de la Loi, le montant prescrit correspond à ce qui suit :

- a) 10 pour cent de l'aide financière de base;
- b) 100 pour cent de tout arriéré de l'aide financière de base ou du soutien du revenu prévu par la *Loi de 1997 sur le Programme ontarien de soutien aux personnes handicapées* payable au bénéficiaire.

15. (1) Sous réserve des paragraphes (2), (3) et (4), le présent règlement entre en vigueur le 1^{er} avril 1999.

(2) Les paragraphes 5 (1) et (5) et les articles 3, 7, 9 et 11 sont réputés être entrés en vigueur le 1^{er} mai 1998.

(3) L'article 10 est réputé être entré en vigueur le 1^{er} juillet 1998.

(4) Les paragraphes 5 (4) et 12 (2) sont réputés être entrés en vigueur le 1^{er} décembre 1998.

RÈGLEMENT DE L'ONTARIO 166/99
pris en application de la
LOI DE 1997 SUR LE PROGRAMME
ONTARIO AU TRAVAIL

pris le 10 mars 1999
déposé le 26 mars 1999

modifiant le Règl. de l'Ont. 135/98
(Administration et partage des coûts)

Remarque : Le Règlement de l'Ontario 135/98 a été modifié antérieurement par les Règlements de l'Ontario 228/98, 274/98, 548/98, 549/98, 34/99 et 131/99.

1. L'article 7 du Règlement de l'Ontario 135/98 est modifié par adjonction du paragraphe suivant :

(1.1) Malgré le paragraphe (1), si l'agent de prestation des services est une bande, le subside payable par l'Ontario aux termes de l'alinéa (1) a) correspond à 100 pour cent des coûts de l'aide à l'égard de ceux que la bande paie à une personne ou au nom d'une personne qui :

- (a) is not a member of the band; and
- (b) is otherwise eligible for assistance under the Act.

2. This Regulation shall be deemed to have come into force on May 1, 1998.

15/99

ONTARIO REGULATION 167/99
made under the
ONTARIO DISABILITY SUPPORT
PROGRAM ACT, 1997

Made: March 10, 1999
Filed: March 26, 1999

Amending O. Reg. 222/98
(General)

Note: Ontario Regulation 222/98 has previously been amended by Ontario Regulations 273/98, 581/98 and 582/98.

1. Clause 2 (3) (d) of Ontario Regulation 222/98 is amended by striking out "or" at the end of subclause (i), by adding "or" at the end of subclause (ii) and by adding the following subclause:

- (iii) is unable to attend school for reasons outside his or her control and the Director is satisfied that he or she will be attending school or a program approved by the Director at the next earliest opportunity.

2. (1) Subsection 4 (1) of the Regulation is amended by adding the following paragraphs:

1.1 Subject to subsection (2), a person who on May 31, 1998 was a spouse of a person who was a recipient of benefits under clause 7 (1) (c) or (e) of the *Family Benefits Act* or subsection 2 (5) of Regulation 366 of the Revised Regulations of Ontario, 1990 if,

- i. on May 31, 1998 the person was also determined to be a person to whom one of those provisions applied, and
- ii. at the time of determining whether the person is a member of a prescribed class, the person is no longer a spouse of the person who was a recipient of benefits.

4.1 Former residents of a facility that is designated under the *Developmental Services Act* who ceased to be residents of that facility on or after June 1, 1998.

(2) Subsection 4 (2) of the Regulation is revoked and the following substituted:

(2) Paragraphs 1 and 1.1 of subsection (1) do not apply with respect to a person described in one of those paragraphs who ceases to be eligible for income support unless section 20 applies.

3. Section 20 of the Regulation is amended by striking out all of the portion before clause (a) and substituting the following:

- a) d'une part, n'est pas membre de la bande;
- b) d'autre part, est par ailleurs admissible à l'aide prévue par la Loi.

2. Le présent règlement est réputé être entré en vigueur le 1^{er} mai 1998.

RÈGLEMENT DE L'ONTARIO 167/99
pris en application de la
LOI DE 1997 SUR LE PROGRAMME ONTARIEN DE
SOUTIEN AUX PERSONNES HANDICAPÉES

pris le 10 mars 1999
déposé le 26 mars 1999

modifiant le Règl. de l'Ont. 222/98
(Dispositions générales)

Remarque : Le Règlement de l'Ontario 222/98 a été modifié antérieurement par les Règlements de l'Ontario 273/98, 581/98 et 582/98.

1. L'alinéa 2 (3) d) du Règlement de l'Ontario 222/98 est modifié par insertion de «soit» au début des sous-alinéas (i) et (ii) et par adjonction du sous-alinéa suivant :

- (iii) soit ne peut fréquenter l'école pour des raisons indépendantes de sa volonté et le directeur est convaincu que l'enfant fréquentera l'école ou suivra un programme approuvé par lui à la prochaine occasion.

2. (1) Le paragraphe 4 (1) du Règlement est modifié par adjonction des dispositions suivantes :

1.1 Sous réserve du paragraphe (2), la personne qui, le 31 mai 1998, était le conjoint d'une personne qui recevait des prestations en vertu de l'alinéa 7 (1) c) ou e) de la *Loi sur les prestations familiales* ou du paragraphe 2 (5) du Règlement 366 des Règlements refondus de l'Ontario de 1990, si les conditions suivantes sont réunies :

- i. le 31 mai 1998, elle a aussi été reconnue comme étant une personne à qui s'appliquait l'une ou l'autre de ces dispositions,
- ii. au moment d'établir si elle appartient à une catégorie prescrite, elle n'est plus le conjoint de la personne qui recevait des prestations.

4.1 Les anciens résidents d'un établissement qui est désigné aux termes de la *Loi sur les services aux personnes atteintes d'un handicap de développement*, s'ils ont cessé d'être des résidents de cet établissement le 1^{er} juin 1998 ou par la suite.

(2) Le paragraphe 4 (2) du Règlement est abrogé et remplacé par ce qui suit :

(2) À moins que l'article 20 ne s'applique, les dispositions 1 et 1.1 du paragraphe (1) ne s'appliquent pas à l'égard d'une personne visée à l'une ou l'autre de ces dispositions qui cesse d'être admissible au soutien du revenu.

3. L'article 20 du Règlement est modifié par substitution de ce qui suit au passage qui précède l'alinéa a) :

20. A person who is a member of a class described in paragraph 1 or 1.1 of subsection 4 (1) shall be deemed to be a member of that prescribed class for the purpose of a new application if,

4. (1) Subsection 28 (1) of the Regulation is amended by adding the following paragraphs:

22. That portion of a loan that the Director is satisfied will be applied within a reasonable period to the payment of first and last month's rent necessary to secure accommodation for the benefit unit.

23. That portion of a loan that the Director is satisfied will be applied within a reasonable period to the purchase of an asset exempt under this subsection.

(2) Subsection 28 (1) of the Regulation is amended by adding the following paragraph:

24. A payment received under the Ontario Hepatitis C Assistance Plan.

(3) Subsection 28 (2.1) of the Regulation is amended by adding at the end "or the *Workers' Compensation Act*".

5. Paragraph 8 of the definition of "shelter" in subsection 31 (1) of the Regulation is amended by adding the following subparagraph:

iii. Rental of a furnace and a hot water heater.

6. The Regulation is amended by adding the following section:

REDUCTION OF BUDGETARY REQUIREMENTS—
PERSON IN RESIDENTIAL SUBSTANCE ABUSE
RECOVERY PROGRAM

36.1 (1) Subject to subsection (2), if a member of the benefit unit resides in a facility for the purpose of participating in a residential substance abuse recovery program, the Director may reduce the budgetary requirements for that member.

(2) Subsection (1) does not apply for the first three months that the member of the benefit unit resides in such a facility.

7. Section 41 of the Regulation is amended by adding the following paragraph:

12. A payment received under section 8.5 of the *Income Tax Act*.

8. Section 42 of the Regulation is amended by adding the following paragraph:

10. A grant received under the *Employment Insurance Act* (Canada) and used for the purpose of purchasing a training course approved by the Director.

9. (1) Paragraph 1 of subsection 43 (1) of the Regulation is amended by striking out "or" at the end of subparagraph v and by adding the following subparagraphs:

vii. applied or will be applied to the payment of first and last month's rent necessary to secure accommodation for the benefit unit, or

viii. applied or will be applied to the purchase of an asset exempt under subsection 28 (1).

(2) Subsection 43 (1) of the Regulation is amended by adding the following paragraph:

20. La personne qui appartient à une catégorie visée à la disposition 1 ou 1.1 du paragraphe 4 (1) est réputée appartenir à cette catégorie prescrite aux fins d'une nouvelle demande si les conditions suivantes sont réunies :

4. (1) Le paragraphe 28 (1) du Règlement est modifié par adjonction des dispositions suivantes :

22. La partie d'un prêt dont le directeur est convaincu qu'elle sera affectée, dans un délai raisonnable, au paiement des premier et dernier mois de loyer nécessaire en vue d'obtenir un logement pour le groupe de prestataires.

23. La partie d'un prêt dont le directeur est convaincu qu'elle sera affectée, dans un délai raisonnable, à l'achat visant un avoir exempté aux termes du présent paragraphe.

(2) Le paragraphe 28 (1) du Règlement est modifié par adjonction de la disposition suivante :

24. Un paiement reçu dans le cadre du Programme ontarien d'aide aux victimes de l'hépatite C.

(3) Le paragraphe 28 (2.1) du Règlement est modifié par adjonction de «ou de la *Loi sur les accidents du travail*».

5. La disposition 8 de la définition de «logement» au paragraphe 31 (1) du Règlement est modifiée par adjonction de la sous-disposition suivante :

iii. La location d'un appareil de chauffage à air chaud et d'un chauffe-eau.

6. Le Règlement est modifié par adjonction de l'article suivant :

RÉDUCTION DES BESOINS MATÉRIELS —
PERSONNE SUIVANT EN ÉTABLISSEMENT UN PROGRAMME
DE TRAITEMENT OU DE RÉADAPTATION POUR TOXICOMANES

36.1 (1) Sous réserve du paragraphe (2), si un membre du groupe de prestataires réside dans un établissement pour y suivre un programme de traitement ou de réadaptation pour toxicomanes, le directeur peut réduire ses besoins matériels.

(2) Le paragraphe (1) ne s'applique pas à l'égard des trois premiers mois durant lesquels le membre du groupe de prestataires réside dans un tel établissement.

7. L'article 41 du Règlement est modifié par adjonction de la disposition suivante :

12. Un paiement reçu aux termes de l'article 8.5 de la *Loi de l'impôt sur le revenu*.

8. L'article 42 du Règlement est modifié par adjonction de la disposition suivante :

10. Une subvention reçue aux termes de la *Loi sur l'assurance-emploi* (Canada) et utilisée pour acheter un cours de formation approuvé par le directeur.

9. (1) La disposition 1 du paragraphe 43 (1) du Règlement est modifiée par adjonction des sous-dispositions suivantes :

vii. est ou sera affectée au paiement des premier et dernier mois de loyer nécessaire en vue d'obtenir un logement pour le groupe de prestataires,

viii. est ou sera affectée à l'achat visant un avoir exempté aux termes du paragraphe 28 (1).

(2) Le paragraphe 43 (1) du Règlement est modifié par adjonction de la disposition suivante :

14. A payment received under the Ontario Hepatitis C Assistance Plan.

(3) Subsection 43 (3) of the Regulation is amended by adding at the end "or the *Workers' Compensation Act*".

10. Paragraph 1 of subsection 44 (1) of the Regulation is amended by striking out "and" at the end of subparagraph v, by adding "and" at the end of subparagraph vi and by adding the following subparagraph:

- vii. the cost of batteries and necessary repairs for mobility devices used by a member of the benefit unit if the cost of batteries and repairs is not otherwise reimbursed or subject to reimbursement.

11. Subsection 51 (1) of the Regulation is revoked and the following substituted:

(1) For the purposes of subsections 15 (2) and 18 (3) of the Act, the prescribed amount is,

- (a) 10 per cent of income support; and
- (b) 100 per cent of any arrears of income support or assistance under the *Ontario Works Act, 1997* payable to the recipient.

12. (1) Subject to subsections (2), (3) and (4), this Regulation comes into force on April 1, 1999.

(2) Sections 2 and 8 shall be deemed to have come into force on June 1, 1998.

(3) Section 7 shall be deemed to have come into force on July 1, 1998.

(4) Subsections 4 (2) and 9 (2) shall be deemed to have come into force on December 1, 1998.

15/99

ONTARIO REGULATION 168/99
made under the
ONTARIO DISABILITY SUPPORT
PROGRAM ACT, 1997

Made: March 10, 1999
Filed: March 26, 1999

Amending O. Reg. 223/98
(Employment Supports)

Note: Ontario Regulation 223/98 has previously been amended by Ontario Regulations 583/98 and 584/98.

1. (1) Paragraph 3 of subsection 2 (1) of Ontario Regulation 223/98 is revoked and the following substituted:

- 3. A person who is eligible to receive rehabilitation services under the Canada Pension Plan in respect of his or her impairment.

(2) Paragraph 5 of subsection 2 (1) of the Regulation is amended by striking out "or was" in the first line.

(3) Paragraph 6 of subsection 2 (1) of the Regulation is amended by striking out "or was" in the first line.

2. This Regulation comes into force on April 1, 1999.

15/99

14. Un paiement reçu dans le cadre du Programme ontarien d'aide aux victimes de l'hépatite C.

(3) Le paragraphe 43 (3) du Règlement est modifié par adjonction de «ou de la *Loi sur les accidents du travail*».

10. La disposition 1 du paragraphe 44 (1) du Règlement est modifiée par adjonction de la sous-disposition suivante :

- vii. le coût des piles et des réparations nécessaires des appareils et accessoires d'aide à la mobilité utilisés par un membre du groupe de prestataires s'il n'est pas par ailleurs remboursé ou susceptible de l'être.

11. Le paragraphe 51 (1) du Règlement est abrogé et remplacé par ce qui suit :

(1) Pour l'application des paragraphes 15 (2) et 18 (3) de la Loi, le montant prescrit correspond à ce qui suit :

- a) 10 pour cent du soutien du revenu;
- b) 100 pour cent de tout arriéré du soutien du revenu ou de l'aide prévue par la *Loi de 1997 sur le programme Ontario au travail* payable au bénéficiaire.

12. (1) Sous réserve des paragraphes (2), (3) et (4), le présent règlement entre en vigueur le 1^{er} avril 1999.

(2) Les articles 2 et 8 sont réputés être entrés en vigueur le 1^{er} juin 1998.

(3) L'article 7 est réputé être entré en vigueur le 1^{er} juillet 1998.

(4) Les paragraphes 4 (2) et 9 (2) sont réputés être entrés en vigueur le 1^{er} décembre 1998.

RÈGLEMENT DE L'ONTARIO 168/99
pris en application de la
LOI DE 1997 SUR LE PROGRAMME
ONTARIEN DE SOUTIEN AUX
PERSONNES HANDICAPÉES

pris le 10 mars 1999
déposé le 26 mars 1999

modifiant le Règl. de l'Ont. 223/98
(Soutien de l'emploi)

Remarque : Le Règlement de l'Ontario 223/98 a été modifié antérieurement par les Règlements de l'Ontario 583/98 et 584/98.

1. (1) La disposition 3 du paragraphe 2 (1) du Règlement de l'Ontario 223/98 est abrogée et remplacée par ce qui suit :

- 3. Les personnes qui sont admissibles à des services de réadaptation aux termes du Régime de pensions du Canada à l'égard de leur déficience.

(2) La disposition 5 du paragraphe 2 (1) du Règlement est modifiée par suppression de «ou qui avaient» à la première ligne.

(3) La disposition 6 du paragraphe 2 (1) du Règlement est modifiée par suppression de «ou qui avaient» à la première ligne.

2. Le présent règlement entre en vigueur le 1^{er} avril 1999.

ONTARIO REGULATION 169/99made under the
FAMILY BENEFITS ACTMade: March 24, 1999
Filed: March 26, 1999Amending Reg. 366 of R.R.O. 1990
(General)

Note: Since the end of 1997, Regulation 366 has been amended by Ontario Regulations 114/98, 138/98, 230/98 and 271/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. The definition of "liquid assets" in subsection 1 (1) of Regulation 366 of the Revised Regulations of Ontario, 1990 is amended by adding the following clause:

(m) a payment received under the Ontario Hepatitis C Assistance Plan;

2. Subsection 12 (22) of the Regulation is amended by striking out the portion before paragraph 1 and substituting the following:

(22) Where an applicant or a recipient, other than a person to whom subsection (20) applies, resides in the same dwelling place as his or her parent, the monthly budgetary requirements shall be an amount equal to the sum of the following applicable amounts:

3. (1) Paragraph 29 of subsection 13 (2) of the Regulation is revoked and the following substituted:

29. A payment or refund received under section 8 or 8.5 of the *Income Tax Act*.

(2) Paragraph 45 of subsection 13 (2) of the Regulation is amended by inserting at the beginning "Subject to subsection (22)".

(3) Subsection 13 (2) of the Regulation is amended by adding the following paragraph:

52. A payment received under the Ontario Hepatitis C Assistance Plan.

(4) Section 13 of the Regulation is amended by adding the following subsection:

(22) An exemption under paragraph 45 of subsection (2) shall not apply to a payment made under the *Workplace Safety and Insurance Act, 1997* or under the *Workers' Compensation Act*.

4. (1) Subject to subsections (2) to (4), this Regulation comes into force on April 1, 1999.

(2) Section 2 shall be deemed to have come into force on April 1, 1998.

(3) Subsection 3 (1) shall be deemed to have come into force on July 1, 1998.

(4) Section 1 and subsection 3 (3) of the Regulation shall be deemed to have come into force on December 1, 1998.

15/99

ONTARIO REGULATION 170/99made under the
ONTARIO WORKS ACT, 1997Made: March 24, 1999
Filed: March 26, 1999Amending O. Reg. 134/98
(General)

Note: Ontario Regulation 134/98 has previously been amended by Ontario Regulations 227/98, 272/98, 546/98, 547/98 and 165/99.

1. (1) Clause 2 (3) (d) of Ontario Regulation 134/98 is amended by inserting "if clause (e) does not apply" after "age" in the first line.

(2) Subclause 2 (3) (d) (i) of the Regulation is amended by striking out "if over 16 years of age" in the second line and substituting "if 16 years of age or older".

(3) Subsection 2 (3) of the Regulation is amended by striking out "and" at the end of clause (c), by adding "and" at the end of clause (d) and by adding the following clause:

(e) in the case of a child who is 16 years of age or older and who has one or more dependent children, the child, if required by the administrator, is participating in a program of activities approved by the administrator that will assist the child with the following:

1. The successful completion of a high school diploma.

RÈGLEMENT DE L'ONTARIO 170/99pris en application de la
**LOI DE 1997 SUR LE PROGRAMME
ONTARIO AU TRAVAIL**pris le 24 mars 1999
déposé le 26 mars 1999modifiant le Règl. de l'Ont. 134/98
(Dispositions générales)

Remarque : Le Règlement de l'Ontario 134/98 a été modifié antérieurement par les Règlements de l'Ontario 227/98, 272/98, 546/98, 547/98 et 165/99.

1. (1) L'alinéa 2 (3) d) du Règlement de l'Ontario 134/98 est modifié par insertion de «si l'alinéa e) ne s'applique pas,» après «scolaire,» à la première ligne.

(2) Le sous-alinéa 2 (3) d) (i) du Règlement est modifié par substitution de «s'il a 16 ans ou plus» à «s'il a plus de 16 ans» à la deuxième ligne.

(3) Le paragraphe 2 (3) du Règlement est modifié par adjonction de l'alinéa suivant :

e) dans le cas d'un enfant qui a 16 ans ou plus et qui a un ou plusieurs enfants à charge et si l'administrateur l'exige, l'enfant participe à un programme d'activités qu'approuve l'administrateur et qui l'aidera à l'égard de ce qui suit :

1. L'obtention d'un diplôme d'études secondaires.

2. The development of employment-related skills.
 3. The further development of the child's parenting skills.
- 2. (1) Subsection 10 (7) of the Regulation is amended by striking out "both" in the second line and substituting "more".**
- (2) Subsection 10 (7) of the Regulation is amended by adding the following paragraph:**
3. Participate, if the person has one or more dependent children, in a program of activities approved by the administrator that will assist the person with the following:
 - i. The successful completion of a high school diploma.
 - ii. The development of employment-related skills.
 - iii. The further development of the person's parenting skills.
- 3. Section 26 of the Regulation is amended by adding the following paragraph:**
9. Participation by a person in a program of activities approved by the administrator that will assist the person with the following:
 - i. The successful completion of a high school diploma.
 - ii. The development of employment-related skills.
 - iii. The further development of the person's parenting skills.
- 4. Subsection 39 (1) of the Regulation is amended by adding the following paragraphs:**
20. That portion of a payment received under the *Ministry of Community and Social Services Act* for a person's successful participation in a program of activities described in clause 2 (3) (e), paragraph 3 of subsection 10 (7) or paragraph 9 of section 26 if,
 - i. within a reasonable period as determined by the administrator, it is to be used for the person's post-secondary education, or
 - ii. it is placed in a Registered Education Savings Plan for one or more of the person's dependants.
 21. A Canada Education Savings Grant paid into the Registered Education Savings Plan referred to in paragraph 20.
 22. That portion of the interest earned from and reinvested into the Registered Education Savings Plan referred to in paragraph 20 that is interest on the money paid into the Plan under paragraphs 20 and 21.
- 5. Section 53 of the Regulation is amended by adding the following paragraph:**
11. A Canada Education Savings Grant described in paragraph 21 of subsection 39 (1).
- 6. Subsection 54 (1) of the Regulation is amended by adding the following paragraph:**
11. That portion of the interest earned from and reinvested into the Registered Education Savings Plan referred to in paragraph 20 of subsection 39 (1) that is interest on the money paid into the Plan under paragraphs 20 and 21 of that subsection.
- 7. Section 66 of the Regulation is revoked and the following substituted:**

2. L'acquisition de compétences liées à l'emploi.
 3. L'accroissement de ses compétences parentales.
- 2. (1) Le paragraphe 10 (7) du Règlement est modifié par substitution de «une ou plusieurs des choses suivantes» à «l'une ou l'autre des choses suivantes ou les deux» aux deuxième et troisième lignes.**
- (2) Le paragraphe 10 (7) du Règlement est modifié par adjonction de la disposition suivante :**
3. Si la personne a un ou plusieurs enfants à charge, participer à un programme d'activités qu'approuve l'administrateur et qui l'aidera à l'égard de ce qui suit :
 - i. L'obtention d'un diplôme d'études secondaires.
 - ii. L'acquisition de compétences liées à l'emploi.
 - iii. L'accroissement de ses compétences parentales.
- 3. L'article 26 du Règlement est modifié par adjonction de la disposition suivante :**
9. La participation d'une personne à un programme d'activités qu'approuve l'administrateur et qui l'aidera à l'égard de ce qui suit :
 - i. L'obtention d'un diplôme d'études secondaires.
 - ii. L'acquisition de compétences liées à l'emploi.
 - iii. L'accroissement de ses compétences parentales.
- 4. Le paragraphe 39 (1) du Règlement est modifié par adjonction des dispositions suivantes :**
20. La partie d'un paiement reçu aux termes de la *Loi sur le ministère des Services sociaux et communautaires* en ce qui concerne la participation réussie d'une personne à un programme d'activités visé à l'alinéa 2 (3) e), à la disposition 3 du paragraphe 10 (7) ou à la disposition 9 de l'article 26 si, selon le cas :
 - i. dans une période raisonnable selon ce que juge l'administrateur, elle doit être utilisée pour l'éducation postsecondaire de la personne,
 - ii. elle est versée à un régime enregistré d'épargne-études pour une ou plusieurs personnes à sa charge.
 21. Une Subvention canadienne pour l'épargne-études versée au régime enregistré d'épargne-études visé à la disposition 20.
 22. La partie des intérêts courus et réinvestis dans le régime enregistré d'épargne-études visé à la disposition 20 qui constitue des intérêts sur les sommes versées au régime aux termes des dispositions 20 et 21.
- 5. L'article 53 du Règlement est modifié par adjonction de la disposition suivante :**
11. Une Subvention canadienne pour l'épargne-études visée à la disposition 21 du paragraphe 39 (1).
- 6. Le paragraphe 54 (1) du Règlement est modifié par adjonction de la disposition suivante :**
11. La partie des intérêts courus et réinvestis dans le régime enregistré d'épargne-études visé à la disposition 20 du paragraphe 39 (1) qui constitue des intérêts sur les sommes versées au régime aux termes des dispositions 20 et 21 de ce paragraphe.
- 7. L'article 66 du Règlement est abrogé et remplacé par ce qui suit :**

66. (1) An administrator shall, as a condition of eligibility for basic financial assistance, require a person who owns or has an interest in land in Ontario and to whom section 12 of the Act applies to consent to the delivery agent having a lien against the land.

(2) If the person has consented to the delivery agent having a lien against the land, the delivery agent may register a notice of lien in the appropriate registry or land titles office.

(3) Subsection (1) does not apply with respect to a person's interest in land that includes a principal residence until the person has been a recipient or beneficiary of basic financial assistance for a continuous period of 12 months.

(4) If the land subject to the lien does not include the person's principal residence, the lien amount shall not exceed the lesser of,

- (a) the total amount of basic financial assistance provided under the Act from the date specified in the notice of lien to the date of the repayment of the lien amount; and
- (b) the value of the person's interest in the land, calculated as at the date of the repayment of the lien amount.

(5) If the land subject to the lien includes the person's principal residence, the lien amount shall not exceed the lesser of,

- (a) the total amount of basic financial assistance provided under the Act from the date specified in the notice of lien to the date of the repayment of the lien amount; and
- (b) the amount obtained by deducting from the value of the person's interest in the land, calculated as at the date of the repayment of the lien amount, the sum of \$5,000 and 10 per cent of the value of the person's interest in the land, calculated as at the date of the repayment of the lien amount.

(6) Except as provided in section 39, a delivery agent shall not require the transfer or disposition of the land subject to the lien.

(7) A lien under this section is discharged as soon as the person has discharged his or her obligation to pay the lien amount.

(8) After the repayment of the lien amount, the delivery agent shall prepare a discharge of the lien and shall provide it to the person.

(9) A notice of lien and a discharge of lien under this section shall be in a form approved by the Director.

(10) For the purpose of subsection 12 (2) of the Act, the prescribed period is one year and the prescribed class is a parent.

8. This Regulation comes into force on April 1, 1999.

66. (1) L'administrateur exige, comme condition d'admissibilité à l'aide financière de base, que la personne qui est propriétaire d'un bien-fonds en Ontario ou a un intérêt sur celui-ci et à qui s'applique l'article 12 de la Loi consente à ce que le bien-fonds soit grevé d'un privilège en faveur de l'agent de prestation des services.

(2) Si la personne a consenti à ce que le bien-fonds soit grevé d'un privilège en faveur de l'agent de prestation des services, ce dernier peut enregistrer un avis de privilège au bureau d'enregistrement des actes compétent ou au bureau d'enregistrement des droits immobiliers compétent.

(3) Le paragraphe (1) ne s'applique pas à l'égard de l'intérêt d'une personne sur un bien-fonds qui comprend la résidence principale tant qu'elle n'a pas été un bénéficiaire ou un prestataire de l'aide financière de base pendant une période continue de 12 mois.

(4) Si le bien-fonds grevé du privilège ne comprend pas la résidence principale de la personne, le montant du privilège ne doit pas être supérieur au moindre de ce qui suit :

- a) le montant total de l'aide financière de base fournie aux termes de la Loi de la date précisée dans l'avis de privilège à la date de remboursement du montant du privilège;
- b) la valeur de l'intérêt de la personne sur le bien-fonds, calculée à la date de remboursement du montant du privilège.

(5) Si le bien-fonds grevé du privilège comprend la résidence principale de la personne, le montant du privilège ne doit pas être supérieur au moindre de ce qui suit :

- a) le montant total de l'aide financière de base fournie aux termes de la Loi de la date précisée dans l'avis de privilège à la date de remboursement du montant du privilège;
- b) la somme obtenue en soustrayant de la valeur de l'intérêt de la personne sur le bien-fonds, calculée à la date de remboursement du montant du privilège, le total de 5 000 \$ et de 10 pour cent de la valeur de cet intérêt, calculée à cette date.

(6) Sous réserve de l'article 39, l'agent de prestation des services ne doit pas exiger le transfert ou la disposition du bien-fonds grevé du privilège.

(7) Un privilège visé au présent article fait l'objet d'une mainlevée dès que la personne s'est acquittée de son obligation de rembourser le montant du privilège.

(8) Après le remboursement du montant du privilège, l'agent de prestation des services prépare le document de mainlevée du privilège et le remet à la personne.

(9) Un avis de privilège et le document de mainlevée du privilège visés au présent article sont rédigés selon la forme qu'approuve le directeur.

(10) Pour l'application du paragraphe 12 (2) de la Loi, le délai prescrit est d'un an et la catégorie prescrite est le père ou la mère.

8. Le présent règlement entre en vigueur le 1^{er} avril 1999.

ONTARIO REGULATION 171/99
made under the
ONTARIO DISABILITY SUPPORT
PROGRAM ACT, 1997

Made: March 24, 1999
Filed: March 26, 1999

Amending O. Reg. 222/98
(General)

Note: Ontario Regulation 222/98 has previously been amended by Ontario Regulations 273/98, 581/98, 582/98 and 167/99.

1. Subsection 28 (1) of Ontario Regulation 222/98 is amended by adding the following paragraphs:

25. That portion of a payment received under the *Ministry of Community and Social Services Act* for a person's successful participation in a program of activities described in paragraph 9 of section 26 of Ontario Regulation 134/98 made under the *Ontario Works Act, 1997* if,

i. within a reasonable period as determined by the Director, it is to be used for the person's post-secondary education, or

ii. it is placed in a Registered Education Savings Plan for one or more of the person's dependants.

26. A Canada Education Savings Grant paid into the Registered Education Savings Plan referred to in paragraph 25.

27. That portion of the interest earned from and reinvested into the Registered Education Savings Plan referred to in paragraph 25 that is interest on the money paid into the Plan under paragraphs 25 and 26.

2. Section 42 of the Regulation is amended by adding the following paragraph:

11. A Canada Education Savings Grant described in paragraph 26 of subsection 28 (1).

3. (1) Paragraph 1 of subsection 43 (1) of the Regulation is amended by striking out "or" at the end of subparagraph vii, by adding "or" at the end of subparagraph viii and by adding the following subparagraph:

ix. applied to the purchase of household items necessary for the well-being of one or more members of the benefit unit and approved by the Director.

(2) Subsection 43 (1) of the Regulation is amended by adding the following paragraph:

15. That portion of the interest earned from and reinvested into the Registered Education Savings Plan referred to in paragraph 25 of subsection 28 (1) that is interest on the money paid into the Plan under paragraphs 25 and 26 of that subsection.

4. Section 55 of the Regulation is revoked and the following substituted:

55. (1) The Director shall, as a condition of eligibility for income support, require a person who owns or has an interest in land in Ontario and to whom section 7 of the Act applies to consent to the Ministry having a lien against the land.

(2) If the person has consented to the Ministry having a lien against the land, the Director may register a notice of lien in the appropriate registry or land titles office.

RÈGLEMENT DE L'ONTARIO 171/99
pris en application de la
LOI DE 1997 SUR LE PROGRAMME ONTARIEN DE
SOUTIEN AUX PERSONNES HANDICAPÉES

pris le 24 mars 1999
déposé le 26 mars 1999

modifiant le Règl. de l'Ont. 222/98
(Dispositions générales)

Remarque : Le Règlement de l'Ontario 222/98 a été modifié antérieurement par les Règlements de l'Ontario 273/98, 581/98, 582/98 et 167/99.

1. Le paragraphe 28 (1) du Règlement de l'Ontario 222/98 est modifié par adjonction des dispositions suivantes :

25. La partie d'un paiement reçu aux termes de la *Loi sur le ministère des Services sociaux et communautaires* en ce qui concerne la participation réussie d'une personne à un programme d'activités visé à la disposition 9 de l'article 26 du Règlement de l'Ontario 134/98 pris en application de la *Loi de 1997 sur le programme Ontario au travail* si, selon le cas :

i. dans une période raisonnable selon ce que juge le directeur, elle doit être utilisée pour l'éducation postsecondaire de la personne,

ii. elle est versée à un régime enregistré d'épargne-études pour une ou plusieurs personnes à sa charge.

26. Une Subvention canadienne pour l'épargne-études versée au régime enregistré d'épargne-études visé à la disposition 25.

27. La partie des intérêts courus et réinvestis dans le régime enregistré d'épargne-études visé à la disposition 25 qui constitue des intérêts sur les sommes versées au régime aux termes des dispositions 25 et 26.

2. L'article 42 du Règlement est modifié par adjonction de la disposition suivante :

11. Une Subvention canadienne pour l'épargne-études visée à la disposition 26 du paragraphe 28 (1).

3. (1) La disposition 1 du paragraphe 43 (1) du Règlement est modifiée par adjonction de la sous-disposition suivante :

ix. est affectée à l'achat des articles de ménage qui sont nécessaires au bien-être d'un ou de plusieurs membres du groupe de prestataires et qu'approuve le directeur.

(2) Le paragraphe 43 (1) du Règlement est modifié par adjonction de la disposition suivante :

15. La partie des intérêts courus et réinvestis dans le régime enregistré d'épargne-études visé à la disposition 25 du paragraphe 28 (1) qui constitue des intérêts sur les sommes versées au régime aux termes des dispositions 25 et 26 de ce paragraphe.

4. L'article 55 du Règlement est abrogé et remplacé par ce qui suit :

55. (1) Le directeur exige, comme condition d'admissibilité au soutien du revenu, que la personne qui est propriétaire d'un bien-fonds en Ontario ou a un intérêt sur celui-ci et à qui s'applique l'article 7 de la Loi consente à ce que le bien-fonds soit grevé d'un privilège en faveur du ministère.

(2) Si la personne a consenti à ce que le bien-fonds soit grevé d'un privilège en faveur du ministère, le directeur peut enregistrer un avis de

(3) Subsection (1) does not apply,

(a) with respect to land that is the principal residence of the person;

(b) with respect to land that is not included as an asset under paragraph 3 of subsection 28 (1); or

(c) during the period of six months after the person's benefit unit first becomes eligible for income support.

(4) The lien amount shall not exceed the lesser of,

(a) the total amount of income support provided under the Act from the date specified in the notice of lien to the date of the repayment of the lien amount; and

(b) the value of the person's interest in the land subject to the lien calculated as at the date of the repayment of the lien amount.

(5) Except as provided in section 28, the Director shall not require the transfer or disposition of the land subject to the lien.

(6) A lien under this section is discharged as soon as the person has discharged his or her obligation to pay the lien amount.

(7) After the repayment of the lien amount, the Director shall prepare a discharge of the lien and shall provide it to the person.

(8) A notice of lien and a discharge of lien under this section shall be in a form approved by the Director.

(9) For the purpose of subsection 7 (2) of the Act, the prescribed period is one year and the prescribed class is a parent.

5. This Regulation comes into force on April 1, 1999.

15/99

ONTARIO REGULATION 172/99

made under the

ONTARIO MINERAL EXPLORATION PROGRAM ACT

Made: March 24, 1999

Filed: March 26, 1999

Amending Reg. 887 of R.R.O. 1990
(Ontario Prospectors' Assistance Program)

Note: Regulation 887 has not previously been amended.

1. Subsection 3 (9) of Regulation 887 of the Revised Regulations of Ontario, 1990 is amended by striking out "set out in section 8" at the end and substituting "determined under section 8".

2. Subsection 4 (2) of the Regulation is amended by striking out "subject to section 8" in the first and second lines and substituting "subject to the maximum determined under section 8".

3. Section 8 of the Regulation is revoked and the following substituted:

privilège au bureau d'enregistrement des actes compétent ou au bureau d'enregistrement des droits immobiliers compétent.

(3) Le paragraphe (1) ne s'applique :

a) ni à l'égard du bien-fonds qui constitue la résidence principale de la personne;

b) ni à l'égard du bien-fonds qui ne fait pas partie de l'avoir aux termes de la disposition 3 du paragraphe 28 (1);

c) ni pendant la période de six mois qui suit le moment où le groupe de prestataires de la personne devient admissible au soutien du revenu pour la première fois.

(4) Le montant du privilège ne doit pas être supérieur au moindre de ce qui suit :

a) le montant total du soutien du revenu fourni aux termes de la Loi de la date précisée dans l'avis de privilège à la date de remboursement du montant du privilège;

b) la valeur de l'intérêt de la personne sur le bien-fonds grevé du privilège, calculée à la date de remboursement du montant du privilège.

(5) Sous réserve de l'article 28, le directeur ne doit pas exiger le transfert ou la disposition du bien-fonds grevé du privilège.

(6) Un privilège visé au présent article fait l'objet d'une mainlevée dès que la personne s'est acquittée de son obligation de rembourser le montant du privilège.

(7) Après le remboursement du montant du privilège, le directeur prépare le document de mainlevée du privilège et le remet à la personne.

(8) Un avis de privilège et le document de mainlevée du privilège visés au présent article sont rédigés selon la forme qu'approuve le directeur.

(9) Pour l'application du paragraphe 7 (2) de la Loi, le délai prescrit est d'un an et la catégorie prescrite est le père ou la mère.

5. Le présent règlement entre en vigueur le 1^{er} avril 1999.

8. The total grants that may be made under this Regulation to any individual in any year shall not exceed the maximum determined by the Minister.

15/99

ONTARIO REGULATION 173/99

made under the

ENVIRONMENTAL ASSESSMENT ACT

Made: March 24, 1999

Filed: March 26, 1999

Amending Reg. 334 of R.R.O. 1990
(General)

Note: Since the end of 1997, Regulation 334 has been amended by Ontario Regulation 615/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Section 3 of Regulation 334 of the Revised Regulations of Ontario, 1990 is amended by adding the following paragraphs:

14. Ontario Power Generation Inc., Ontario Hydro Services Company Inc. and the subsidiaries, within the meaning of the *Electricity Act, 1998*, of those corporations.
15. Every corporation incorporated under the *Business Corporations Act* pursuant to section 142 of the *Electricity Act, 1998*, and the subsidiaries, within the meaning of the *Electricity Act, 1998*, of those corporations.

2. Clause 5 (4) (b) of the Regulation is revoked and the following substituted:

- (b) that is being carried out in accordance with the procedure set out in the relevant class environmental assessment and approval and for which no other environmental assessment has been submitted,

3. The Regulation is amended by adding the following sections:

14. (1) An undertaking by a corporation referred to in paragraph 14 of subsection 3 (1) is exempt from subsection 5 (1) of the Act if the undertaking does not relate to generating, transmitting, distributing or retailing electricity.

(2) An undertaking by a corporation referred to in paragraph 14 of subsection 3 (1) is exempt from subsection 5 (1) of the Act if,

- (a) Ontario Hydro obtained approval to proceed with the undertaking before subsection 54 (1) of the *Electricity Act, 1998* came into force and the corporation referred to in paragraph 14 of subsection 3 (1) carries out the undertaking in accordance with the approval;
- (b) Ontario Hydro was authorized to proceed with the undertaking before subsection 54 (1) of the *Electricity Act, 1998* came into force in accordance with a class environmental assessment and the corporation referred to in paragraph 14 of subsection 3 (1) carries out the undertaking in accordance with the class environmental assessment;
- (c) an order was made under subsection 3.1 (3) of the Act with respect to the undertaking before subsection 54 (1) of the *Electricity Act, 1998* came into force and the corporation referred to in paragraph 14 of subsection 3 (1) carries out the undertaking in accordance with the order;
- (d) an order was made under section 29 of the Act with respect to the undertaking before January 1, 1997 and the corporation referred to in paragraph 14 of subsection 3 (1) carries out the undertaking in accordance with the order; or
- (e) Ontario Hydro was authorized to proceed with the undertaking before subsection 54 (1) of the *Electricity Act, 1998* came into force in accordance with an exemption under this Regulation and the corporation referred to in paragraph 14 of subsection 3 (1) carries out the undertaking in accordance with any conditions applicable to the exemption.

(3) Subsection (2) does not apply to an undertaking if the corporation referred to in paragraph 14 of subsection 3 (1) gives the Ministry proposed terms of reference governing the preparation of an environmental assessment for the undertaking.

15. (1) An undertaking by a corporation referred to in paragraph 15 of subsection 3 (1) is exempt from subsection 5 (1) of the Act if the undertaking does not relate to generating, transmitting, distributing or retailing electricity.

(2) An undertaking by a corporation referred to in paragraph 15 of subsection 3 (1) is exempt from subsection 5 (1) of the Act if,

- (a) a municipality obtained approval to proceed with the undertaking before the corporation referred to in paragraph 15 of subsection 3 (1) was incorporated and the corporation referred to in paragraph 15 of subsection 3 (1) carries out the undertaking in accordance with the approval;
- (b) a municipality was authorized to proceed with the undertaking before the corporation referred to in paragraph 15 of subsection 3 (1) was incorporated in accordance with a class environmental assessment and the corporation referred to in paragraph 15 of subsection 3 (1) carries out the undertaking in accordance with the class environmental assessment;
- (c) an order was made under subsection 3.1 (3) of the Act with respect to the undertaking before the corporation referred to in paragraph 15 of subsection 3 (1) was incorporated and the corporation referred to in paragraph 15 of subsection 3 (1) carries out the undertaking in accordance with the order;
- (d) an order was made under section 29 of the Act with respect to the undertaking before January 1, 1997 and the corporation referred to in paragraph 15 of subsection 3 (1) carries out the undertaking in accordance with the order; or
- (e) a municipality was authorized to proceed with the undertaking before the corporation referred to in paragraph 15 of subsection 3 (1) was incorporated in accordance with an exemption under this Regulation and the corporation referred to in paragraph 15 of subsection 3 (1) carries out the undertaking in accordance with any conditions applicable to the exemption.

(3) Subsection (2) does not apply to an undertaking if the corporation referred to in paragraph 15 of subsection 3 (1) gives the Ministry proposed terms of reference governing the preparation of an environmental assessment for the undertaking.

4. This Regulation comes into force on the day subsection 54 (1) of the *Electricity Act, 1998* comes into force.

15/99

ONTARIO REGULATION 174/99
made under the
ENVIRONMENTAL PROTECTION ACT

Made: March 24, 1999
Filed: March 26, 1999

Amending O. Reg. 215/95
(Effluent Monitoring and Effluent Limits—
Electric Power Generation Sector)

Note: Ontario Regulation 215/95 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Section 17 of the Regulation is amended by adding the following subsections:

(2) Subsection (1) does not apply to a rainbow trout acute lethality test or *Daphnia magna* acute lethality test performed on a grab sample collected at a sampling point if,

- (a) the sampling point is located on an effluent stream affected by chlorination that is authorized by a certificate of approval and that is used for the prevention or reduction of biofouling;
- (b) the acute lethality test results in mortality for more than 50 per cent of the test organisms in 100 per cent effluent and laboratory analysis indicates that this result is caused solely by the presence of chlorine; and

- (c) a rainbow trout acute lethality test and a *Daphnia magna* acute lethality test performed on a grab sample collected at a place that is located downstream of the sampling point and before the effluent from the effluent stream is discharged from the plant both result in mortality for no more than 50 per cent of the test organisms in 100 per cent effluent.

(3) If, pursuant to subsection (2), subsection (1) does not apply to an acute lethality test performed on a grab sample collected at a sampling point, the place referred to in clause (2) (c) shall be deemed, for the purposes of subsection (1) and section 26, to be a sampling point established under section 7.

(4) If, pursuant to subsection (2), subsection (1) does not apply to an acute lethality test performed on a grab sample collected at a sampling point,

- (a) the discharger shall take steps to ensure that future rainbow trout acute lethality tests and *Daphnia magna* acute lethality tests performed on grab samples collected at the sampling point will result in mortality for no more than 50 per cent of the test organisms in 100 per cent effluent; and

- (b) before July 1 in each year following the calendar year in which subsection (1) did not apply, the discharger shall submit to the Director a report on what has been done and what will be done to comply with clause (a).

(5) A report under clause (4) (b) shall include a timetable, including milestone dates and a completion date, for ensuring that future rainbow trout acute lethality tests and *Daphnia magna* acute lethality tests performed on grab samples collected at the sampling point will result in mortality for no more than 50 per cent of the test organisms in 100 per cent effluent.

- (6) Subsections (2) to (5) do not apply after July 1, 2002.

2. Schedule 1 to the Regulation is revoked and the following substituted:

Schedule 1

LIST OF REGULATED PLANTS

Plant Name	Location
Atikokan TGS	Atikokan
Bruce Bulk Steam System	Tiverton
Bruce Heavy Water Plant	Tiverton
Bruce NGS - A	Tiverton
Bruce NGS - B	Tiverton
Bruce Nuclear Power Development	Tiverton
Darlington NGS	Darlington
J. C. Keith TGS	Windsor
Lakeview TGS	Mississauga
Lambton TGS	Courtright
Lennox TGS	S. Fredericksburgh
Nanticoke TGS	Nanticoke
Pickering NGS—A and B	Pickering
R. L. Hearn TGS	Toronto
Thunder Bay TGS	Thunder Bay

Explanatory Notes:

TGS = Thermal Generating Station

NGS = Nuclear Generating Station

ONTARIO REGULATION 175/99

made under the
ASSESSMENT ACT

Made: March 24, 1999

Filed: March 26, 1999

REFUND OF FEES FOR COMPLAINTS

1. If a person has complained to the Assessment Review Board under section 40 of the Act in respect of the 1998 taxation year but has agreed to a settlement under section 39.1 of the Act and withdrawn the complaint, the Assessment Review Board shall refund the fee paid by the person.

15/99

ONTARIO REGULATION 176/99

made under the
ELECTRICITY ACT, 1998

Made: March 24, 1999

Filed: March 26, 1999

Amending O. Reg. 115/99
(Financial Corporation)

Note: Ontario Regulation 115/99 has not previously been amended.

1. Ontario Regulation 115/99 ("Financial Corporation") is amended by adding the following sections:

FEES PAYABLE TO THE MINISTER OF FINANCE

4. (1) The Financial Corporation shall pay the fee described in subsection (4) to the Minister of Finance on June 30 each year, beginning in the year 2000.

(2) If June 30 is not a business day in a particular year, the fee is payable on the first business day following June 30.

(3) The fee and any interest that may be payable in respect of it are prescribed for the purposes of subsection 71 (1) of the Act.

(4) The fee equals 0.5 per cent of the sum of the principal amounts of the following:

1. All notes, debentures and other indebtedness issued by the Financial Corporation, the payment of which is guaranteed by the Province of Ontario, that are outstanding on the valuation date.
2. All indebtedness of the Financial Corporation to the Province of Ontario that is outstanding on the valuation date.

(5) If the fee is not paid when due, the Financial Corporation shall pay interest on the fee from the due date until the date the amount is paid. The interest is to be calculated at the rate established under subsection 10 (4) of the *Financial Administration Act*.

(6) The following rules apply with respect to the calculation of the fee:

1. The principal amount of a note, debenture or other indebtedness is the amount certified as the principal amount by the Provincial Auditor.
2. The valuation date is March 31 in the year in which the payment is due.

3. The principal amount of a note, debenture or other indebtedness that is payable in a currency other than Canadian dollars must be converted to Canadian dollars at the Bank of Canada dollar noon spot exchange rate in effect on the last business day preceding the valuation date.
 4. A note or debenture is outstanding,
 - i. if it has been issued and has not been cancelled, or
 - ii. if it has been issued in bearer form and it is not held by or on behalf of the Financial Corporation.
 5. The present value of serial zero coupon notes or debentures of the Financial Corporation shall be deemed to be the principal amount of the notes or debentures.
 6. The present value of serial zero coupon notes or debentures of the Financial Corporation in the year in which they are issued is the amount credited to the Financial Corporation for the issue of the notes or debentures.
 7. The present value of serial zero coupon notes or debentures of the Financial Corporation in a year other than the year in which they are issued is determined as of the anniversary date of the date of their issue that precedes the valuation date. The present value of the notes or debentures is to be calculated at an interest rate equal to the discount rate that determined the original yield to investors on the entire issue of the notes or debentures.
5. (1) The Financial Corporation shall pay the fee described in subsection (3) to the Minister of Finance on June 30, 1999.
- (2) The fee and any interest that may be payable in respect of it are prescribed for the purposes of subsection 71 (1) of the Act.
- (3) The fee equals 0.625 per cent of the sum of the principal amounts of the following:
1. All notes, debentures and other indebtedness issued by Ontario Hydro, the payment of which is guaranteed by the Province of Ontario, that are outstanding on December 31, 1998.
 2. All indebtedness of Ontario Hydro to the Province of Ontario that is outstanding on December 31, 1998.
- (4) Subsection 4 (5) applies with respect to the fee payable under this section.
- (5) The following rules apply with respect to the calculation of the fee:
1. The principal amount of a note, debenture or other indebtedness is the amount certified as the principal amount by the auditor who prepares Ontario Hydro's 1998 financial statements.
 2. The principal amount of a note, debenture or other indebtedness that is payable in a currency other than Canadian dollars must be converted to Canadian dollars at the Bank of Canada dollar noon spot exchange rate in effect on December 30, 1998.
 3. A note or debenture is outstanding,
 - i. if it has been issued and has not been cancelled, or
 - ii. if it has been issued in bearer form and it is not held by or on behalf of Ontario Hydro.
 4. The present value of serial zero coupon notes or debentures of Ontario Hydro shall be deemed to be the principal amount of the notes or debentures.
 5. The present value of serial zero coupon notes or debentures of Ontario Hydro in the year in which they are issued is the amount

paid or credited to Ontario Hydro for the issue of the notes or debentures.

6. The present value of serial zero coupon notes or debentures of Ontario Hydro in a year other than the year in which they are issued is determined as of the anniversary date of the date of their issue that precedes December 31, 1998. The present value of the notes or debentures is to be calculated at an interest rate equal to the discount rate that determined the original yield to investors on the entire issue of the notes or debentures.

2. This Regulation comes into force on the day subsection 54 (1) of the *Electricity Act*, 1998 comes into force.

15/99

ONTARIO REGULATION 177/99 made under the HEALTH INSURANCE ACT

Made: March 24, 1999

Filed: March 26, 1999

Amending Reg. 552 of R.R.O. 1990
(General)

Note: Since the end of 1997, Regulation 552 has been amended by Ontario Regulations 2/98, 44/98, 87/98, 111/98, 145/98, 146/98, 147/98, 172/98, 236/98, 375/98, 376/98, 377/98, 378/98, 478/98, 479/98, 528/98, 567/98, 575/98, 58/99, 59/99, 60/99, 85/99 and 108/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Section 37.4 of Regulation 552 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

37.4 The basic fee payable for an insured service that is rendered in a hospital and set out in Part 2 of Appendix E to the General Preamble to the schedule of benefits shall be decreased by,

- (a) 6.7 per cent, if it is rendered before April 1, 1999; and
- (b) 3 per cent, if it is rendered on or after April 1, 1999.

15/99

ONTARIO REGULATION 178/99 made under the HEALTH INSURANCE ACT

Made: March 24, 1999

Filed: March 26, 1999

Amending Reg. 552 of R.R.O. 1990
(General)

Note: Since the end of 1997, Regulation 552 has been amended by Ontario Regulations 2/98, 44/98, 87/98, 111/98, 145/98, 146/98, 147/98, 172/98, 236/98, 375/98, 376/98, 377/98, 378/98, 478/98, 479/98, 528/98, 567/98, 575/98, 58/99, 59/99, 60/99, 85/99, 108/99 and 177/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. (1) The definition of "schedule of benefits" in subsection 1 (1) of Regulation 552 of the Revised Regulations of Ontario, 1990 is amended by adding the following paragraph:

5. Amendments dated October 1, 1998.

(2) The definition of "schedule of benefits" in subsection 1 (1) of the Regulation is amended by adding the following paragraph:

6. Amendments dated November 1, 1998.

(3) The definition of "schedule of benefits" in subsection 1 (1) of the Regulation is amended by adding the following paragraph:

7. Amendments dated December 1, 1998.

(4) The definition of "schedule of benefits" in subsection 1 (1) of the Regulation is amended by adding the following paragraph:

8. Amendments dated January 1, 1999.

(5) The definition of "schedule of benefits" in subsection 1 (1) of the Regulation is amended by adding the following paragraph:

9. Amendments dated April 1, 1999.

(6) Paragraphs 2 and 3 of subsection 1 (3) of the Regulation are revoked.

(7) Subsection 1 (4) of the Regulation is revoked.

2. (1) Clause 29 (1) (b) of the Regulation is amended by striking out "set out opposite" after "amount" in the first line and substituting "payable for".

(2) Clause 29 (2) (b) of the Regulation is amended by striking out "set out opposite" wherever it occurs and substituting "payable for" in each case.

(3) Clause 29 (4) (b) of the Regulation is amended by striking out "set out opposite" wherever it occurs and substituting "payable for" in each case.

(4) Clause 29 (5) (b) of the Regulation is amended by striking out "set out opposite" in the seventh line and substituting "payable for".

(5) Clause 29 (6) (b) of the Regulation is amended by striking out "set out opposite" wherever it occurs and substituting "payable for" in each case.

(6) Clause 29 (7) (b) of the Regulation is amended by striking out "set out opposite" wherever it occurs and substituting "payable for" in each case.

(7) Clause 29 (8) (b) of the Regulation is amended by striking out "set out opposite" wherever it occurs and substituting "payable for" in each case.

3. (1) Subject to subsections (2), (3), (4) and (5), this Regulation shall come into force on April 1, 1999.

(2) Subsection 1 (1) shall be deemed to have come into force on October 1, 1998.

(3) Subsection 1 (2) shall be deemed to have come into force on November 1, 1998.

(4) Subsection 1 (3) shall be deemed to have come into force on December 1, 1998.

(5) Subsection 1 (4) shall be deemed to have come into force on January 1, 1999.

15/99

ONTARIO REGULATION 179/99
made under the
DRUG AND PHARMACIES REGULATION ACT

Made: March 23, 1990
Approved: March 24, 1999
Filed: March 26, 1999

Amending Reg. 551 of R.R.O. 1990
(General)

Note: Since the end of 1997, Regulation 551 has been amended by Ontario Regulation 644/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Section 1 of Regulation 551 of the Revised Regulations of Ontario, 1990 is amended by adding the following subsection:

(2) A reference in this Regulation to Schedule A, B, C, D or E is a reference to such Schedule referred to in Ontario Regulation 297/96.

2. Section 68 of the Regulation is revoked.

3. Section 79 of the Regulation is revoked.

4. Schedules A, B, C, D, E, F, G and N to the Regulation are revoked.

5. This Regulation comes into force on April 23, 1999.

COUNCIL OF THE ONTARIO COLLEGE OF PHARMACISTS:

WILLIAM J. WILSON
President
A. JIM DUNSDON
Registrar

Dated on March 23, 1999.

15/99

ONTARIO REGULATION 180/99
made under the
DRUG AND PHARMACIES REGULATION ACT

Made: March 23, 1999
Approved: March 24, 1999
Filed: March 26, 1999

Amending O. Reg. 297/96
(General)

Note: Since the end of 1997, Ontario Regulation 297/96 has been amended by Ontario Regulation 643/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Sections 1 and 2 of Ontario Regulation 297/96 are revoked and the following substituted:

1. In this Regulation,

"Manual" means the manual published by the National Association of Pharmacy Regulatory Authorities entitled "Canada's National Drug Scheduling System" and dated September 25, 1998, as that manual is amended from time to time.

2. (1) Schedules A and B to this Regulation are established for the purposes of Part VI of the Act.

(2) The substances included in Schedules A and B are prescribed for the purposes of Part VI of the Act.

(3) Schedule II to the Manual shall constitute Schedule C for the purposes of Part VI of the Act.

(4) The substances included in Schedule C are prescribed for the purposes of Part VI of the Act.

(5) Schedule III to the Manual shall constitute Part II of Schedule D for the purposes of Part VI of the Act.

(6) The substances included in Schedule D are prescribed for the purposes of Part VI of the Act.

(7) Schedule I to the Manual shall constitute Schedule E for the purposes of Part VI of the Act.

(8) The substances included in Schedule E are prescribed for the purposes of Part VI of the Act.

2. The Regulation is amended by adding the following Schedules:

Schedule A

1. Acid (calcium d-pantothenate)
2. Acid (dexpantenol)
3. Alginic acid
4. Allantoin
5. Aloe
6. Aloin
7. Alum
8. Aralia racemosa
9. Arrowroot
10. Attapulgate (activated)
11. Balmony
12. Balsam tolu
13. Balsam mecca
14. Benzoic acid
15. Benzoin
16. Benzyl alcohol
17. Bile extract
18. Bile salts
19. Bisacodyl
20. Caffeine
21. Caffeine citrate
22. Calcium carbonate
23. Calcium gluconate
24. Calcium glycerophosphate
25. Calcium hydroxide
26. Calcium lactate
27. Calcium phosphate (dibasic)
28. Calcium undecylenate
29. Canada balsam
30. Capsicum oleoresin
31. Castor oil
32. Cocoa butter

33. Cod liver oil
34. Copper sulfate
35. Creosote
36. Cynara scolymus
37. Eucalyptol
38. Eucalyptus
39. Eucalyptus oil
40. Eugenol
41. Fennel
42. Fir
43. Gelatin
44. Gentiana lutea
45. Ginger
46. Glycerine
47. Guaiacol
48. Guaifenesin
49. Hamamelis virginiana
50. Hemlock spruce
51. Honey
52. Juniper tar
53. Lanolin
54. Linseed
55. Liquid paraffin (mineral oil)
56. Magnesium sulfate (epsom salts)
57. Motherwort common
58. Myrrh
59. Oats
60. Octocrylene
61. Oil of anise
62. Oil of cajeput
63. Oil of camphor
64. Oil of cinnamon
65. Oil of clove
66. Oil of dill
67. Oil of fennel
68. Oil of fir
69. Oil of hemlock canadian
70. Oil of mustard expressed
71. Oil of peppermint
72. Oil of pine needles
73. Oil of sassafras
74. Oil of sweet almond
75. Oil of thyme
76. Oil of turpentine
77. Olive oil
78. Ox bile extract
79. Pancreatin
80. Papain
81. Pectin
82. Pepsin

83. Peptone
84. Petrolatum
85. Petrolatum liquid
86. Pine tar
87. Plantago seed
88. Poplar bud
89. Prune
90. Saccharine and sodium saccharine
91. Sassafras
92. Shark liver oil
93. Simethicone
94. Sodium alginate
95. Sodium benzoate
96. Sodium bicarbonate
97. Sodium carbonate
98. Sodium carboxymethyl cellulose
99. Sodium chloride
100. Sodium citrate
101. Sodium dioctyl sulfosuccinate
102. Sodium lauryl sulfate
103. Sodium monofluorophosphate
104. Sodium oleate
105. Sodium phosphate dibasic
106. Sodium tartrate
107. Spruce gum
108. Strawberry
109. Sulfur
110. Tartaric acid
111. Thymol
112. Turpentine
113. White petroleum
114. White pine
115. Wild cherry
116. Yeast

Schedule B

Part I

1. 2-phenylbenzimidazole-5-sulfonic acid
2. 4-methylbenzylidene camphor
3. Acetaminophen—when sold in standard unit doses of 325mg 25 or less
4. Acetylsalicylic acid—when sold in standard unit doses of 325 mg 51 or less
5. Alpha-galactosidase
6. Aluminium chlorohydrate
7. Aluminum chloride—when in an antiperspirant preparation, not more than 5 per cent
8. Aluminum chlorohydrate
9. Aluminum hydroxide
10. Aluminum hydroxide—magnesium carbonate codried gel
11. Aluminum potassium sulfate

12. Aluminum sesquichlorohydrate
13. Aluminum zirconium tetrachlorohydrate glycine
14. Aluminum zirconium trichlorohydrate glycine
15. Ammonium bicarbonate
16. Ammonium carbonate
17. Ammonium chloride
18. Ammonium hydroxide (anethole)
19. Bacitracin and its salts and derivatives—for topical use
20. Beef, iron and wine
21. Benzalkonium chloride—in liquid preparations in concentrations not more than 2 per cent
22. Benzethonium chloride—in liquid preparations in concentrations not more than 1 per cent
23. Biguanide polyaminopropyl
24. Bioflavonoids
25. Biotin
26. Bismuth subcarbonate (oxycarbonate)
27. Bismuth subgallate
28. Bismuth subsalicylate
29. Boldo
30. Buchu
31. Butyl methoxydibenzoylmethane
32. Carbetapentane citrate
33. Cascara sagrada and its extracts and derivatives
34. Cetrimide
35. Cetylpyridinium gluconate
36. Chamomile
37. Charcoal (activated)—except for use in poisoning treatment
38. Chloral hydrate—for topical use
39. Chlorhexidine gluconate
40. Chlorhydrol—when in an antiperspirant preparation
41. Chlorobutanol
42. Chloroxylonol
43. Chlorpheniramine maleate and its salts and preparations—except for parenteral use
44. Choline
45. Cinnamedrine
46. Citric acid
47. Clove
48. Coal tar—in concentrations of up to and including 10 per cent
49. Cochineal
50. Cocillana
51. Croton oil
52. Culver's root
53. Dea methoxycinnamate
54. Dimethicone
55. Disodium edetate
56. Disodium lauroamphodiacetate conc.
57. Domiphen bromide
58. Docusate and its salts
59. Dyclonine hydrochloride

60. Edetic acid
61. Essence of peppermint
62. Frangula
63. Glycyrrhiza glabra
64. Glycyrrhizin
65. Gramicidin and its salts—for topical use
66. Hexylresorcinol
67. Homosalate
68. Hydrogen peroxide—not more than 3 per cent
69. Hydroquinone—when in skin bleaching preparations, not more than 2 per cent
70. Hydroxyquinoline
71. Inositol
72. Irgasan DP 300—when in an antiperspirant preparation, not more than 0.4 per cent
73. Iron and its salts and derivatives—in preparations containing 30 mg or less elemental iron per dosage unit or 5 ml oral liquid
74. Juglans
75. Ketoconazole and its salts—as a shampoo
76. Lactic acid (CDSS) (in preparations in concentrations greater than 10 per cent—Schedule 3)
77. Lidocaine (hydrochloride) and its salts—for topical use on the skin, including lozenge
78. Linum usitatissimum
79. Magaldrate
80. Magnesium carbonate
81. Magnesium chloride
82. Magnesium citrate
83. Magnesium hydroxide
84. Magnesium oxide
85. Magnesium trisilicate
86. Menthol
87. Menthyl anthranilate
88. Merbromin (mercurochrome) solution—not more than 2 per cent
89. Methyl salicylate
90. Methylbenzethonium chloride—when in an antiperspirant preparation not more than 0.25 per cent
91. Methylene blue
92. Miconazole and its salts—for topical use
93. Naphazoline (hydrochloride) and its salts—in oral preparations for adult use and in ophthalmic products
94. Octyl methoxycinnamate
95. Octyl salicylate
96. Oil of eucalyptus
97. Oxybenzone
98. Oxymetazoline—in nasal preparations for adult use and in ophthalmic products, except for pediatric use
99. Padimate O
100. Pamabrom
101. Pheniramine maleate and its salts
102. Phenoxyethanol
103. Phenyl salicylate
104. Phenylephrine (hydrochloride) and salts and preparations for oral use, in nasal preparations for adults and in ophthalmic preparations in concentrations of 2.5 per cent or less
105. Phenylpropanolamine bitartrate and salts
106. Phenylpropanolamine hydrochloride and salts
107. Phosphorus (calcium hypophosphite)
108. Phosphorus (calcium phosphate (dibasic))
109. Phosphorus (potassium hypophosphite)
110. Phosphorus (sodium hypophosphite)
111. Phytolacca decandra
112. Polyaminopropyl biguanide
113. Polyethylene glycol (400)—for topical administration
114. Polyhexanide
115. Polymyxin B (polymyxin B sulfate) and its salts and derivatives—for topical use, or in oral cavity or nasal passages
116. Polyoxypolyethylene-polyoxyethylene BL copolymer
117. Polyquaternium-1
118. Potassium acid tartrate (cream of tartar)
119. Potassium bicarbonate—in preparations with not more than 5 mmol/single dose
120. Potassium chlorate—in preparations with not more than 5 mmol/single dose
121. Potassium chloride—as a salt substitute
122. Potassium iodide—not more than 0.01 per cent when in salt substitutes
123. Potassium nitrate (saltpetre)
124. Pramoxine hydrochloride
125. Propylene glycol—topical application
126. Pseudoephedrine and its salts and preparations
127. Pyrilamine maleate
128. Ranitidine and its salts—when sold in a dosage form containing not more than the equivalent of 75 mg of ranitidine
129. Resorcinol
130. Rhubarb root
131. Salicylic acid and its salts—in topical preparations in concentrations up to/including 40 per cent
132. Sanguinaria canadensis
133. Seidlitz powders
134. Selenium and its salts—in a preparation for internal use when sold as a nutritional supplement
135. Selenium sulfide—when in an anti-dandruff preparation not more than 1 per cent
136. Senecio aureus
137. Senega
138. Senna and its extracts and derivatives
139. Silver acetate
140. Silver nitrate
141. Sodium acid pyrophosphate
142. Sodium fluoride—when in dentifrices not more than 0.25 per cent
143. Sodium glycerophosphate
144. Sodium phosphate

145. Sodium potassium tartrate (rochelle salts)
146. Sodium salicylate
147. Sodium sulfate
148. Spirit of aromatic ammonia
149. Spirit of nitrous ether
150. Squill
151. Stannous fluoride—when in dentifrices not more than 0.4 per cent
152. Storax
153. Strontium chloride—when in dentifrices not more than 10 per cent
154. Sulisobenzene
155. Tannic acid
156. Taraxacum officinale weber
157. Tea tree oil
158. Terpin hydrate
159. Tetrahydrozoline hydrochloride—except in nasal preparations for pediatric use
160. Tetrapotassium pyrophosphate
161. Tetrasodium pyrophosphate
162. Teucrium scorodonia
163. Titanium dioxide
164. Titanium dioxide coated mica
165. Triclocarban
166. Triclosan
167. Trolamine salicylate
168. Undecylenic acid
169. Urea hydrogen peroxide
170. Viburnum opulus
171. Xanthoxylum
172. Xylitol
173. Xylometazoline hydrochloride—except for nasal preparations for pediatric use
174. Yellow dock
175. Zinc oxide
176. Zinc phenolsulphonate
177. Zinc pyridinethione—when in anti-dandruff preparations, not more than 2 per cent
178. Zinc sulphate—in preparations containing 25 mg or less of elemental zinc
179. Zirconium hydrochloride—when in an antiperspirant preparation, not more than 5 per cent

3. This Regulation comes into force on April 23, 1999.

COUNCIL OF THE ONTARIO COLLEGE OF PHARMACISTS:

WILLIAM J. WILSON
President

A. JIM DUNSDON
Registrar

Dated on March 23, 1999.

ONTARIO REGULATION 181/99

made under the
DIETETICS ACT, 1991

Made: February 16, 1999
Approved: March 24, 1999
Filed: March 26, 1999

Amending O. Reg. 593/94
(General)

Note: Ontario Regulation 593/94 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Ontario Regulation 593/94 is amended by adding the following Part:

**PART III.2
QUALITY ASSURANCE**

GENERAL

30.16 In this Part,

"assessor" means an assessor appointed under section 81 of the Health Professions Procedural Code;

"Committee" means the Quality Assurance Committee;

"remediation" means participation in a specified professional enhancement program, whether carried out by lecture, mentoring, counseling, self-study with evaluation or any other similar means, designed to improve a member's knowledge, skills, judgment or practice performance.

30.17 (1) The Committee shall administer the Quality Assurance Program, which shall include the following components:

1. Self-assessment and professional development.
2. Collection, analysis and dissemination of information.
3. Practice assessment and remediation.
4. Assessment and remediation following alleged behaviour or remarks of a sexual nature.

(2) Every member is required to participate in the quality assurance program and fulfil its requirements.

(3) A panel of the Committee may act on behalf of the Committee with respect to any matter that arises under this Part.

(4) A panel shall be composed of three members.

(5) The chair of the Committee shall appoint the members of a panel, one of the members of which shall be a member named to the Committee by the Lieutenant Governor in Council.

SELF-ASSESSMENT AND PROFESSIONAL DEVELOPMENT

30.18 (1) Every member shall carry out his or her self-assessment in accordance with the guidelines and policies established by the College and distributed to the members.

(2) Every member shall engage in professional improvement and development in accordance with the guidelines and policies established by the College and distributed to the members.

(3) Every member shall keep and retain complete and accurate records with respect to self-assessment, professional improvement and

development and professional practice surveys, and submit them to the Committee on request.

COLLECTION, ANALYSIS AND DISSEMINATION OF INFORMATION

30.19 (1) The Committee shall systematically collect and analyse information about the nature and quality of the practice of dietetics, including the training and education of members, from members, educators of members, employers, business or health care professionals, researchers, clients of members, the public and the College.

(2) The Committee shall disseminate and use the results of the collection and analysis of the information under subsection (1) in such manner as the Committee deems appropriate, including,

- (a) publishing articles;
- (b) proposing the development or revision of standards of practice to Council;
- (c) making recommendations with respect to the development or revision of the requirements of the self-assessment and professional development program; and
- (d) proposing policies and programs to Council to promote excellent dietetic practice.

PRACTICE ASSESSMENT AND REMEDIATION

30.20 (1) Each year the College shall select at random the names of members required to undergo a practice assessment.

(2) A member is required to undergo a practice assessment if his or her name is selected at random.

(3) A member may be required to undergo a practice assessment if,

- (a) the member is referred to the Committee by the Registrar or the Complaints Committee, Discipline Committee or Executive Committee;
- (b) the Committee finds that there is evidence that the member has not complied with section 30.18; or
- (c) the member meets criteria established by the Committee that are published and distributed to the members.

(4) A member required to undergo a practice assessment is entitled to at least 14 days notice of the start of the assessment.

(5) If the member requests that a practice assessment be delayed and provides an explanation and documentation in support of the request that the Committee considers satisfactory, the Committee may delay the start of the assessment if there are extenuating circumstances such as maternity, illness or disability, bereavement, personal hardship, employment outside of Ontario or a sabbatical.

(6) The Committee shall appoint an assessor to conduct a practice assessment.

(7) The practice assessment may include, but is not limited to,

- (a) inspecting and reviewing the premises where the member practises, client records and the members's self-assessment and professional development records;
- (b) interviewing the member and his or her employer, employees, colleagues and peers;

(c) requiring the member to answer, orally or in writing, questions that relate to the member's practice; and

(d) requiring the member to solve simulated problems or case studies that relate to the member's practice.

(8) The assessor shall prepare a report on the assessment and submit it to the Committee, with a copy to the member.

(9) After considering the report, the Committee may decide not to take further action or,

(a) to make written recommendations to the member and give him or her an opportunity to address the recommendations;

(b) subject to subsection 30.21 (1), to require the member to undertake the remediation specified by the Committee if the Committee concludes that the member's knowledge, skills, judgment or practice performance, although unsatisfactory, are remediable;

(c) subject to section 30.21 (2), (3), (4) and (5), the Committee may direct the Registrar to impose terms, conditions or limitations on a member's certificate of registration for a specified period not exceeding six months if the Committee concludes that the member's knowledge, skills, judgment or practice performance are unsatisfactory and,

(i) are not likely to be remediable, or

(ii) are likely to expose the public to harm or injury.

(10) If a member refuses to undergo a required practice assessment, the Committee shall refer the matter to the Executive Committee.

30.21 (1) The Committee shall not require the member to undertake remediation under clause (9) (b) unless,

(a) the member has been given written notice of the Committee's intention to do so;

(b) the member has been given at least 30 days from receipt of the notice to make written submissions to the Committee; and

(c) the Committee has taken any such submissions into account.

(2) The Committee shall not direct the Registrar to impose terms, conditions or limitations on a member's certificate under clause (9) (c) unless,

(a) the member has been given written notice of the Committee's intention to do so;

(b) the member has been given at least 14 days from receipt of the notice to make written submissions to the Committee; and

(c) the Committee has taken any such submissions into account.

(3) In addition to the right to make written submissions under clause (2) (b), the member may confer with the Committee if the member requests to do so within 14 days from receipt of the notice referred to in clause (2) (a).

(4) The Committee shall inform the member of the date of the conference.

(5) If the member fails to attend at the time set for the conference, the Committee may dispose of the matter.

30.22 (1) After a member has acted on recommendations made by the Committee under clause 30.20 (9) (a) or has completed specified

remediation under clause 30.20 (9) (b), the member shall be reassessed to determine whether the member's knowledge, skills, judgment or practice performance are satisfactory, and subsections 30.20 (4) to (10) apply to the reassessment.

(2) A member shall not be re-assessed under subsection (1) more than once.

IMPOSITION OF TERMS, CONDITIONS AND LIMITATIONS

30.23 (1) If the Committee requires a member to undertake remediation under clause 30.20 (9) (b) and the member fails to do so or fails to successfully complete the remediation, the Committee may direct the Registrar to impose terms, conditions or limitations on the members's certificate of registration for a specified period not exceeding six months.

(2) If the Committee proposes to make a direction under subsection (1), it shall not do so unless,

- (a) the member has been given written notice of its intention;
- (b) the member has been given at least 14 days from receipt of the notice to make written submissions to the Committee; and
- (c) the Committee has taken any such submissions into account.

(3) If the Registrar imposes terms, conditions or limitations on a member's certificate of registration pursuant to a direction given by the Committee under subsection (1), the Committee may direct the Registrar to remove them before the end of the specified period if the Committee is satisfied that they are no longer needed.

(4) The Committee may impose terms, conditions or limitations on a member's certificate of registration for a second specified period not exceeding six months but may not do so a third time.

(5) If the Committee imposes terms, conditions or limitations for a second specified period, it shall inform the Executive Committee.

ASSESSMENT AND REMEDIATION FOLLOWING ALLEGED BEHAVIOUR OR REMARKS OF A SEXUAL NATURE

30.24 (1) This section applies to matters relating to sexual abuse as defined in clause 1 (3) (c) of the Health Professions Procedural Code that are referred to the Committee by,

- (a) a panel of the Complaints Committee under paragraph 4 of subsection 26 (2) of the Code; or
- (b) the Executive Committee, Complaints Committee or Board under section 79.1 of the Code.

(2) The Committee may require a member to undergo a psychological assessment or another assessment specified by the Committee if a matter respecting the member is referred as provided in subsection (1).

(3) After receiving the report of an assessment under subsection (2), the Committee may require the member to undertake specified measures, such as education, therapy or counselling if,

- (a) the Committee is of the opinion that the measures will help the member to refrain from such behaviour or remarks; and
- (b) the member has been given written notice of the Committee's intention to require the member to undertake measures, a written summary of the concerns of the Committee and at least 14 days to make written submissions to the Committee.

(4) If the member refuses to undergo an assessment under subsection (2) or to undertake specified measures, or fails to complete those measures, the Committee may direct the Registrar to impose terms, conditions or limitations on the member's certificate of registration for a specified period not exceeding six months.

(5) The Committee shall not give a direction under subsection (4) unless the member has been given written notice of the Committee's intention to do so and at least 14 days to make written submissions to the Committee.

(6) If the member refuses to undergo an assessment or to undertake specified measures and terms, conditions or limitations are imposed on the member's certificate for a specified period or are imposed a second time for a specified period and, at the end of the period, the member has not undergone the assessment or undertaken the measures, the Committee shall report the member to the Executive Committee.

(7) If the Registrar imposes terms, conditions or limitations on a member's certificate of registration under subsection (4), the Committee may direct the Registrar to remove them before the end of the specified period if the Committee is satisfied that they are no longer needed.

COUNCIL OF THE COLLEGE OF DIETITIANS OF ONTARIO:

BRENDA WINES-MOHER, R.D.
President

SHIRLEY LEE
Registrar

Dated on February 16, 1999.

15/99

ONTARIO REGULATION 182/99 made under the DIETETICS ACT, 1991

Made: February 12, 1999
Approved: March 24, 1999
Filed: March 26, 1999

Amending O. Reg. 593/94
(General)

Note: Ontario Regulation 593/94 has previously been amended by Ontario Regulation 181/99.

1. Ontario Regulation 593/94 is amended by adding the following Part:

PART III.3 NOTICE OF MEETINGS AND HEARINGS

30.25 (1) The Registrar shall ensure that notice of every Council meeting that is required to be open to the public under the Act is given in accordance with this Part.

(2) The notice must be published at least 14 days before the date of the meeting in a daily newspaper of general circulation throughout Ontario.

(3) The notice must be published in English and French.

(4) The notice must include the intended date, time and place of the meeting and a statement of the purpose of the meeting.

(5) The Registrar must give notice of Council meetings to every person who requests it.

30.26 (1) The Registrar shall ensure that information concerning every hearing into allegations of professional misconduct or incompetence held by a panel of the Discipline Committee is given to every person who requests it,

(a) at least 30 days before the intended date of the hearing, for those requests received by that date; or

(b) for requests received after that date, as soon as reasonably possible after the request is made.

(2) The information to be provided must include the name of the member against whom the allegations have been made, his or her principal place of practice, the intended date, time and place of the hearing and a statement of the purpose of the hearing.

(3) The information must be available in English and French.

(4) A copy of the notice of hearing must be sent to the complainant.

COUNCIL OF THE COLLEGE OF DIETITIANS OF ONTARIO:

BRENDA WINES-MOHER, R.D.
President

SHIRLEY LEE
Registrar

Dated on February 12, 1999.

15/99

ONTARIO REGULATION 183/99
made under the
CHIROPODY ACT, 1991

Made: February 16, 1999
Approved: March 24, 1999
Filed: March 26, 1999

Amending O. Reg. 203/94
(General)

Note: Ontario Regulation 203/94 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Ontario Regulation 203/94 is amended by adding the following Parts:

PART V
QUALITY ASSURANCE

GENERAL

25. In this Part,

"assessor" means an assessor appointed under section 81 of the Health Professions Procedural Code;

"Committee" means the Quality Assurance Committee;

"evaluation" means a program designed to evaluate the member's knowledge, skills and judgment;

"practice assessment" means an assessment of a member's care of patients, the member's records of the care of patients or the premises where the member practises.

26. (1) The Committee shall administer the quality assurance program, which shall include the following components:

1. Self-assessment and continuing education.

2. Practice assessment.

3. Evaluation and remediation.

4. Assessment and remediation of behaviour and remarks of a sexual nature.

(2) Every member shall comply with the requirements of the quality assurance program that apply to him or her.

(3) The self-assessment and continuing education component, the practice assessment component and the evaluation and remediation component apply only to members who hold a general certificate of registration.

(4) The remediation component referred to in paragraph 4 of subsection (1) applies to all members.

27. (1) A panel of the Committee shall be composed of at least three members of the Committee selected by the chair, at least one of whom shall be a person appointed to the Council by the Lieutenant Governor in Council.

(2) If a member of the panel becomes ill or is otherwise unable to continue as a member of the panel,

(a) the remaining members may continue to act as if the panel were fully constituted; or

(b) the chair may appoint another member to replace the member who is unable to act.

(3) A panel of the Committee may act on behalf of the Committee with respect to any matter that arises under this Part.

SELF-ASSESSMENT AND CONTINUING EDUCATION

28. (1) The self-assessment and continuing education requirements shall be set out in the quality assurance policy that is approved by Council and published and distributed to the members.

(2) On being registered or on being reinstated, the member becomes subject to, and shall comply with, the self-assessment and continuing education requirements set out in the policy referred to in subsection (1).

(3) If a member is registered or reinstated at any time after the beginning of a continuing education cycle, the number of continuing education credits that the member is required to obtain during the cycle is prorated to the time remaining in the cycle at the time of the registration or reinstatement.

29. (1) A member shall maintain a record of his or her self-assessments and continuing education activities and submit them to the College upon request.

(2) If a member fails to submit the records referred to in subsection (1) when requested to do so, the Registrar shall refer the matter to the Committee and notify the member in writing that this has been done and

that the member may make written submissions to the Committee within 30 days after receiving the notice.

(3) After considering the member's written submissions, if any, the Committee may,

- (a) grant the member an extension for a specified period of time during which the member shall submit the records;
- (b) require the member to undergo a practice assessment by an assessor in accordance with section 30.

(4) If the member submits the records but fails to meet the self-assessment and continuing education requirements set out in the quality assurance policy approved by Council, the Registrar shall refer the matter to the Committee and notify the member in writing that this has been done and that the member may make written submissions to the Committee within 30 days after receiving the notice.

(5) After considering the member's written submissions, if any, the Committee may,

- (a) grant the member an extension for a specified period of time during which the member shall comply with the requirements;
- (b) grant the member an exemption from some or all of the requirements; or
- (c) require the member to undergo a practice assessment by an assessor in accordance with section 30.

(6) If an extension granted under clause (3) (a) or (5) (a) elapses without the member having provided satisfactory evidence of having satisfied the requirements, the Committee may require the member to undergo a practice assessment by an assessor in accordance with section 30.

(7) The Committee may appoint one or more assessors to perform one or more of the following:

- 1. Monitor participation in and compliance with the self-assessment and continuing education requirements.
- 2. Conduct a practice assessment under section 30.
- 3. Conduct an evaluation under section 31.

PRACTICE ASSESSMENT

30. (1) A member is required to undergo a practice assessment under this section if,

- (a) the member is selected at random under subsection (2);
- (b) the member has been referred to the Committee by the Executive Committee, the Discipline Committee or the Complaints Committee; or
- (c) the member has been referred under clause 29 (3) (b) or (5) (c), or under subsection 29 (6).

(2) The College shall select at random the names of holders of general certificates required to undergo a practice assessment.

(3) A practice assessment shall be conducted by an assessor, who shall prepare a written report on his or her findings and submit it to the Committee.

(4) The Committee shall provide the member with a copy of the assessor's report.

(5) The member shall have at least 14 days to make written submissions in response to the report.

(6) After considering the assessor's findings and the submissions of the member, if any, the Committee may do one or both of the following if the report identifies deficiencies in the member's practice:

- 1. Recommend to the member ways in which the deficiencies may be corrected.
- 2. Require the member to undergo an evaluation.

(7) If the Committee takes action under paragraph 1 of subsection (6), the Committee may require a reassessment of the member's practice, and subsections (3), (4), (5) and (6) apply to the reassessment.

(8) A member whose practice has been reassessed under subsection (7) may not be reassessed again.

EVALUATION AND REMEDIATION

31. (1) A member is required to undergo an evaluation under this section if,

- (a) the member has been referred to the Committee by the Executive Committee, the Discipline Committee or the Complaints Committee; or
- (b) the member is required to undergo an evaluation pursuant to paragraph 2 of subsection 30 (6).

(2) An evaluation shall be conducted by an assessor, who shall prepare a written report on his or her findings and submit it to the Committee.

(3) The Committee shall provide the member with a copy of the assessor's report.

(4) The member shall have at least 14 days to make written submissions in response to the report.

(5) After considering the report and the member's submissions, if any, the Committee may, if it finds that the member's knowledge, skills or judgment are unsatisfactory, do one or more of the following:

- 1. Direct the member to participate in a specified remedial program.
- 2. Direct the Registrar to impose terms, conditions or limitations on the member's certificate of registration for a specified period not exceeding six months.

(6) A member who has been required to participate in a remedial program may be required to undergo another evaluation, and subsections (2), (3), (4) and (5) apply to that evaluation.

(7) A member who has been re-evaluated under subsection (6) may not be re-evaluated again.

(8) If the member fails to participate in a specified remedial program or fails to complete the program successfully, the Committee may direct the Registrar to impose terms, conditions or limitations on a member's certificate of registration for a specified period not exceeding six months.

(9) If the Registrar imposes terms, conditions or limitations on the member's certificate of registration for a specified period pursuant to a

direction given by the Committee under paragraph 2 of subsection (5) or under subsection (8), the Committee may direct the Registrar to remove the terms, conditions or limitations before the end of the specified period if it is satisfied that the member's knowledge, skills and judgment are now satisfactory.

(10) No direction shall be given to the Registrar under paragraph 2 of subsection (5) or under subsection (8) unless the member has been given notice of the Committee's intention to give the direction and the member has been given at least 14 days to make written submissions to the Committee.

ASSESSMENT AND REMEDIATION OF BEHAVIOUR OR REMARKS OF A SEXUAL NATURE

32. (1) This section applies to matters relating to sexual abuse as defined in clause 1 (3) (c) of the Health Professions Procedural Code that are referred to the Committee by,

- (a) a panel of the Complaints Committee under paragraph 4 of subsection 26 (2) of the Code; or
- (b) the Executive Committee, Complaints Committee or Board under section 79.1 of the Code.

(2) The Committee may require a member to undergo a psychological assessment or another assessment specified by the Committee if a matter respecting the member is referred as provided in subsection (1).

(3) After receiving the report of an assessment referred to in subsection (2), the Committee may require the member to undertake specified measures such as education, therapy or counselling, if

- (a) the Committee is of the opinion that the measures will help the member to refrain from such behaviour or remarks; and
- (b) the member has been given written notice of the Committee's intention to require the member to undertake measures, a copy of the report and at least 14 days to make written submissions to the Committee.

(4) If the member makes written submissions, the Committee shall take them into account before requiring the member to undertake specified measures.

(6) The Committee shall not give a direction under subsection (5) unless the member has been given notice of the Committee's intention and at least 14 days to make written submissions to the Committee.

(7) If the Registrar imposes terms, conditions or limitations on a member's certificate of registration under subsection (5), the Committee may direct the Registrar to remove them before the end of the specified period if the Committee is satisfied that they are no longer needed.

PART VI NOTICE OF MEETINGS AND HEARINGS

33. (1) The Registrar shall ensure that notice of every Council meeting that is required to be open to the public under the Act is given in accordance with this Part.

(2) The notice shall be published in a daily newspaper of general circulation throughout Ontario at least 14 days before the date of the meeting.

(3) The notice shall be in English and French.

(4) The notice shall include the intended date, time and place of the meeting and indicate its purpose.

(5) The Registrar shall give notice of Council meetings to every person who requests it.

34. (1) The Registrar shall ensure that information concerning every hearing into allegations of professional misconduct or incompetence held by a panel of the Discipline Committee is given to every person who requests it.

(2) The information to be provided must include the name of the member against whom the allegations have been made, his or her principal place of practice, the intended date, time and place of the hearing and a summary of the allegations.

(3) For requests received more than 30 days before the date of the hearing, the Registrar shall, where possible, provide the information at least 30 days before that date.

(4) For requests received less than 30 days before the date of the hearing, the Registrar shall provide the information as soon as reasonably possible before that date.

(5) The information provided must be in English or, upon request, in French.

PART VII COMMUNICATION AND PUBLICATION OF PANEL DECISIONS

35. The Registrar shall communicate the decision of a panel of the Fitness to Practise Committee, the reasons for decision or a summary of the reasons, to the complainant, if any, upon the release of the decision.

36. (1) The College shall publish the decisions of the Fitness to Practise Committee and the reasons for decision, or a summary of such reasons, in its annual report and may publish the decisions and reasons or summary in any other publication of the College.

(2) In publishing the information mentioned in subsection (1), the College shall publish the name of the member who was the subject of the proceeding if the result of the proceeding may be obtained by a person from the Register under subsection 23 (3) of the Health Professions Procedural Code.

COUNCIL OF THE COLLEGE OF CHIROPODISTS OF ONTARIO:

SCOTT J. HÉBERT
President

CHRISTINE ROBINSON
Registrar

Dated on February 16, 1999.

15/99

ONTARIO REGULATION 184/99 made under the MIDWIFERY ACT, 1991

Made: February 11, 1999
Approved: March 24, 1999
Filed: March 26, 1999

Amending O. Reg. 240/94
(General)

Note: Ontario Regulation 240/94 has not previously been amended.

1. Ontario Regulation 240/94 is amended by adding the following Parts:

PART III QUALITY ASSURANCE

DEFINITIONS AND COMPONENTS OF PROGRAM

6. In this Part,

"assessor" means an assessor appointed under section 81 of the Health Professions Procedural Code;

"Chair" means the Chair of the Quality Assurance Committee;

"Committee" means the Quality Assurance Committee;

"member" means a member who holds a general certificate of registration or a certificate of registration requiring supervision;

"practice group" means, in relation to a member, a group of one or more other members with whom the member is associated and, if the member is not associated with other members, means the member.

7. (1) The quality assurance program of the College shall include the following components:

1. Provision of clinical information.
2. Continuing education and professional development.
3. Peer case review.
4. Quality of care evaluation.
5. Self-assessment.
6. Practice audits.
7. Remediation of behaviour and remarks of a sexual nature.

(2) The quality assurance program shall be administered by the Committee.

(3) The Chair may appoint a panel to carry out any of the powers or functions of the Committee under the Act.

(4) A panel shall consist of at least three people, at least one of whom shall be a person who is not a member and who is appointed to the Committee by the Lieutenant-Governor in Council.

8. (1) Sections 9 to 19 do not apply to a member who has ceased to practise midwifery for at least one year.

(2) The Committee may, upon application, grant an exemption from any of the requirements of sections 9 to 19 to a member by reason of illness or maternity leave or in any other extenuating circumstances.

PROVISION OF CLINICAL INFORMATION

9. (1) Upon request by the Committee, a member shall provide the Committee with information relating to the care given by the member to clients. The information shall be in the form specified by the Committee.

(2) If the Committee so requests, the information provided under subsection (1) shall relate to care given to clients during a specified period of time.

(3) A member shall ensure that clients are not identified in the information provided under subsection (1).

CONTINUING EDUCATION AND PROFESSIONAL DEVELOPMENT

10. (1) A member shall participate in continuing education and other professional development activities for the purpose of maintaining and enhancing the member's knowledge, skills and judgment.

(2) A member shall maintain an annual record of his or her participation in continuing education and professional development activities and shall submit the record to the Committee on request.

(3) The record shall include,

- (a) particulars of his or her learning needs as identified by the member; and
- (b) the content, date, duration, location and, if applicable, the name of the sponsor of each continuing education and professional development activity engaged in by the member.

(4) The Committee may require the record to be maintained in a form provided by the Committee.

(5) The member shall retain records of continuing education and professional development activities for at least 10 years from the date the member participated in the activities.

PEER CASE REVIEW

11. (1) A member shall participate in at least six peer case reviews in every 12-month period commencing January 1 of each year.

(2) In a peer case review, a group of at least four members belonging to at least two different practice groups meet to discuss clinical care of clients.

(3) A peer case review shall be conducted in accordance with College guidelines published by the College and distributed to members and shall include the following elements:

1. A presentation of a case history and of how the case was managed by one of the members participating in the review.
2. A discussion of the application of College regulations, standards, guidelines and policies to the case.
3. The observations and feedback of the participants.

(4) A member shall maintain an annual peer case review record in which the member records the names of the members who carried out each peer case review and the date and duration of each review. The record shall be submitted to the Committee on request.

(5) A member shall keep the peer case review record for at least 10 years from the date the review was held.

QUALITY OF CARE EVALUATION

12. (1) A member shall provide every client with a quality of care evaluation form within six months of being discharged from care and request that the client complete the form and return it to the member's practice group.

(2) The evaluation form shall not identify the client.

(3) A member shall make a record of any action taken in response to a client's evaluation and shall submit the record to the College on request.

(4) The Committee may require that the quality of care evaluation form and the form of the record of action taken be in a form provided by the Committee.

(5) A member shall retain a completed evaluation form for at least 10 years from the date the evaluation form is returned to the member's practice group.

(6) A member shall retain the record of action taken in response to a client's evaluation for at least 10 years from the date the action was taken.

SELF-ASSESSMENT

13. (1) At the request of the Registrar, a member shall complete a self-assessment questionnaire provided by the Committee and return it to the College.

(2) A member who fails to return a completed self-assessment questionnaire to the College when requested to do so by the Registrar shall, if so required by the Committee, participate in a practice audit.

PRACTICE AUDIT

14. (1) Each year, the College shall select at random the names of members required to undergo a practice audit.

(2) A member shall undergo a practice audit by an assessor if his or her name is selected at random and the College may require a member to undergo a practice audit if the member has failed to return a completed self-assessment questionnaire under subsection 13 (2).

15. A practice audit shall be conducted by an assessor and may include,

- (a) requiring a member to provide the assessor with such forms and other documents used in the member's practice;
- (b) an examination of the member's client records; and
- (c) an interview with the member.

16. (1) An assessor shall, within a period of time specified by the Committee, provide a written report of a practice audit to the Committee and to the member whose practice was the subject of the audit.

(2) The member whose practice was the subject of a practice audit may make written representations to the Committee within 14 days of receiving the written report of the practice audit.

17. (1) After considering the report and any representations made by the member, the Committee may decide,

- (a) that no action is required;
- (b) subject to section 19, to require the member to undertake the remediation or other action specified by the Committee to correct any deficiency disclosed by the practice audit; or
- (c) to refer the member to the Executive Committee.

(2) After the member has had an opportunity to undertake the remediation or other action specified, the Committee may require the member to undergo a follow-up practice audit.

(3) The Committee shall not require that a member undergo more than one follow-up practice audit.

18. (1) Subject to section 19, the Committee may direct the Registrar to impose terms, conditions or limitations on a member's certificate of registration for a specified period not exceeding six months if the member's knowledge, skills and judgment are found to be unsatisfactory and,

- (a) the member fails to undertake the remediation or other action specified by the Committee; or

- (b) the member fails to successfully complete the remediation or other action specified by the Committee.

(2) If the Registrar imposes terms, conditions or limitations on a member's certificate or registration for a specified period pursuant to a direction given by the Committee under subsection (1), the Committee may direct the Registrar to remove the terms, conditions or limitations before the end of the specified period if the Committee is satisfied that the deficiency has been remedied.

19. If the Committee proposes to require a member to undertake remediation under section 17 or to direct the Registrar to impose terms, conditions or limitations on the member's certificate of registration under section 18, the Committee shall give the member written notice of the proposal and at least 14 days from the receipt of the notice to make written representations to the Committee. The Committee shall consider any representations made by the member before making a final decision under section 17 or 18.

REMEDICATION OF BEHAVIOUR AND REMARKS OF A SEXUAL NATURE

20. Sections 21 to 24 apply to matters relating to sexual abuse as defined in clause 1 (3) (c) of the Health Professions Procedural Code that are referred to the Committee by,

- (a) the Complaints Committee, pursuant to paragraph 4 of subsection 26 (2) of the Health Professions Procedural Code; and
- (b) the Executive Committee, pursuant to section 79.1 of the Health Professions Procedural Code.

21. (1) If a matter referred to in section 20 in respect of a member is referred to the Committee, the Committee shall require the member to undergo a psychological or other assessment to determine whether the member should undergo therapy, counselling, education or other specified measures.

(2) The person conducting the assessment shall provide a written report of the results of the assessment to the Committee and shall make such recommendations as he or she considers appropriate.

(3) The Committee shall give the member a copy of the report and recommendations together with a notice informing the member of the right to make a written submission respecting the recommendations in accordance with subsection 22 (2).

(4) After considering the report and recommendations and a submission made by the member, if any, the Committee may require the member to attend or participate in an education, counselling or therapy program or to take such other measures as may be specified by the Committee.

(5) If the member refuses to undergo an assessment as required under this section, to attend or participate in a program or to take any other measure specified by the Committee, the Committee may, subject to subsection 22 (3), direct the Registrar to impose specified terms, conditions or limitations on the member's certificate of registration for a specified period of up to six months.

22. (1) A member has the right to make a written submission to the Committee,

- (a) before the Committee requires the member to attend or participate in a program or to take any other measure specified by the Committee under subsection 21 (4); and
- (b) before the Committee makes a direction under subsection 21 (5).

(2) The member shall be given at least 14 days from the day the member receives the report and recommendations under subsection 21 (3) to make written submissions to the Committee.

(3) The Committee shall give the member notice of its intention to make a direction under subsection 21 (5) and at least 14 days from the

date the member receives the notice to make written submissions to the Committee.

23. The Committee shall direct the Registrar to remove the terms, conditions or limitations imposed on the member's certificate of registration under subsection 21 (5) before the end of the specified period if the Committee is satisfied that the terms, conditions or limitations are no longer needed.

24. If a term, condition or limitation has been imposed on a member's certificate of registration for a specified period under subsection 21 (5) and, at the end of the period, the member continues to refuse to undergo an assessment, to attend or participate in a program or to take any other measure specified by the Committee, the Committee shall refer the matter to the Executive Committee.

PART IV

NOTICE OF OPEN MEETINGS AND HEARINGS

COUNCIL MEETINGS

25. (1) The Registrar shall ensure that notice of every council meeting that is required to be open to the public under the Act is given in accordance with this section.

(2) The notice shall be published no less than 14 days before the date of the meeting in a daily newspaper of general circulation throughout Ontario.

(3) The notice shall be in English and French.

(4) The notice shall include the intended date, time and place of the meeting and a statement of the purpose of the meeting.

(5) The Registrar shall give a copy of the notice to every person who requests it.

DISCIPLINE COMMITTEE HEARINGS

26. (1) The Registrar shall ensure that information concerning a hearing by a panel of the Discipline Committee respecting allegations of professional misconduct or incompetence by a member is given to every person who requests it,

(a) at least 30 days before the intended date of the hearing, if possible; or

(b) for requests made less than 30 days before the meeting, as soon as reasonably possible after the request is made.

(2) The information shall be available in English and French.

(3) The information shall include,

(a) the name of the member against whom the allegations have been made;

(b) the member's principal place of practice;

(c) the intended date, time and place of the hearing; and

(d) a statement of the purpose of the hearing.

COUNCIL OF THE COLLEGE OF MIDWIVES OF ONTARIO:

ZOE KENDE
President

ROBIN KILPATRICK
Registrar

Dated on February 11, 1999.

15/99

ONTARIO REGULATION 185/99 made under the AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY ACT, 1991

Made: February 18, 1999
Approved: March 24, 1999
Filed: March 26, 1999

Amending O. Reg. 543/94
(General)

Note: Ontario Regulation 543/94 has not previously been amended.

1. Ontario Regulation 543/94 is amended by adding the following Part:

PART IV

QUALITY ASSURANCE PROGRAM

GENERAL

19. In this Part,

"assessor" means an assessor appointed under section 81 of the Health Professions Procedural Code;

"Committee" means the Quality Assurance Committee;

"continuing education equivalents" (CEEs) means credits that are assigned by the Committee for successful completion of continuing education and professional activities.

20. (1) The Committee shall administer the quality assurance program, which consists of the following components:

1. Continuing education and professional activities.

2. Peer assessment.

3. Remediation of inappropriate behaviour and remarks of a sexual nature by a member towards a patient.

(2) Every member who holds a general certificate of registration shall participate in and fulfil the requirements of the quality assurance program.

(3) Every member who holds an academic certificate of registration shall participate in and fulfil the requirements of the continuing education and professional activities component of the program and is subject to the component referred to in paragraph 3 of subsection (1).

(4) Every member who holds an initial, non-practising or teaching certificate of registration is subject to the component referred to in paragraph 3 of subsection (1).

CONTINUING EDUCATION AND PROFESSIONAL ACTIVITIES

21. (1) The Committee shall publish policy guidelines, and distribute them to the members, indicating,

(a) the types of continuing education and professional activities which, if successfully completed, would entitle members to CEEs;

(b) the minimum number of CEEs that a member must accumulate within each three-year period, including the minimum number of CEEs that a member must accumulate in topics that are specific to audiology or speech-language pathology; and

(c) the maximum number of CEEs that a member may earn, within each three-year period, for topics that are related to audiology or speech-language pathology.

(2) A member who holds a general or academic certificate of registration on the day this Part comes into force shall, in each three-year period commencing January 1, 1999, accumulate no fewer than the minimum number of CEEs specified in the guidelines.

(3) A member who obtains a general or academic certificate of registration after the day this Part comes into force, becomes registered again after having ceased to be a member or obtains a general or academic certificate of registration after having been registered in the teaching or non-practising classes of registration shall, in the three-year period beginning on January 1 in the year of registration, re-registration or change of status and in each subsequent three-year period, accumulate no fewer than the minimum number of CEEs specified in the guidelines.

(4) CEEs earned for the successful completion of activities during the calendar year, but before the actual date, of a member's registration, re-registration or change of status count toward the satisfaction of the requirements of the first three-year period if they do not exceed the limits set out in the guidelines.

22. (1) A member who is required to comply with section 21 but who is unable to do so due to illness, change of employment, unemployment or other factors beyond the member's control may forward to the Registrar a written request for an exemption from compliance.

(2) The Registrar shall consider the request and may grant it, grant it with modifications or reject it after having taken into account the College's guidelines on the granting of exemptions from compliance.

(3) The Registrar may make any decision that he or she considers just in all the circumstances, including,

- (a) reducing the number of CEEs, or the number of CEEs in topics that are specific to audiology or speech-language pathology, that the member is required to accumulate during the three-year period;
- (b) extending the time for a member to accumulate the required number of CEEs or the required number of CEEs in topics that are specific to audiology or speech-language pathology; and
- (c) permitting the member to count towards the requirements in the three-year period, CEEs in topics related to audiology or speech-language pathology that exceed the limits set out in the guidelines.

(4) If the Registrar considers it necessary to do so, he or she shall confer with the Committee before making a decision under subsection (3).

(5) The Registrar's decision under this section is final and binding.

23. (1) A member who holds a general or academic certificate of registration shall report to the Registrar each year, no later than the date specified by the Registrar and in the manner required by the Registrar, on the continuing education and professional activities successfully completed during the year.

(2) A member shall retain evidence of the continuing education and professional activities reported upon for three years after the end of the three-year period in which the corresponding CEEs were assigned, but need not provide such evidence to the Registrar with the report submitted under subsection (1).

(3) The Committee may at any time require a member to produce evidence of the continuing education and professional activities reported to the Registrar and, if a member either fails, or is unable, to do so, any CEEs credited for those activities shall be withdrawn.

(4) The Committee shall review the reports and shall determine, in accordance with the guidelines, the number of CEEs to be assigned to the member for the activities that the member has successfully completed, and shall advise the member of the number of CEEs that he or she has earned.

24. (1) The Registrar shall mail a notice of default to each member, at his or her address shown on the register, who,

- (a) fails to accumulate the minimum number of CEEs within the three-year period mentioned in subsection 21 (2) or (3) or fails to report to the Registrar, by the deadline of having done so; or
- (b) has CEEs withdrawn under subsection 23 (3).

(2) The notice of default shall state that if, within 60 days of the date of the notice, the Registrar has not received a report from the member demonstrating that the member has accumulated the required minimum number of CEEs, the Committee may authorize the Registrar to impose such terms, conditions or limitations as are specified by the Committee on the member's certificate of registration for a specified period not exceeding six months.

(3) At any time during the 60-day notice period, the Registrar may, at his or her discretion, extend the notice period to 120 days.

(4) A member who receives a notice of default may apply any CEEs received during the notice period against his or her required number of CEEs for the three-year period to which the default relates.

(5) If a member who has received a notice of default fails to submit the required report within the notice period, the Registrar shall so inform the Committee and, subject to subsection (6), the Committee may direct the Registrar to impose such terms, conditions or limitations on the member's certificate of registration as it specifies for a specified period not exceeding six months.

(6) The Committee shall not give a direction to the Registrar under subsection (5) unless,

- (a) the member has been given notice of the Committee's intention; and
- (b) the member has been given at least 30 days in which to make written submissions to the Committee.

(7) The decision of the Committee under subsection (5) is final and binding.

(8) If CEEs are assigned to a member during a period in which terms, conditions or limitations apply to his or her certificate, the member may request that they be counted towards the required number of CEEs for the period to which the default relates.

(9) If, during a period in which terms, conditions or limitations apply to the member's certificate, the CEEs required for the period to which the default relates are assigned to the member as a result of a report of successful completion of continuing education and professional activities being made to the Registrar, the Registrar shall inform the Committee, and the Committee may direct the Registrar to remove the terms, conditions or limitations.

(10) CEEs credited under subsection (4) or (8) may not be assigned to more than one three-year period.

(11) If the notice period specified under subsection (5) expires and the member has failed to submit a report to the Registrar that demonstrates that the member has accumulated the required CEEs for the prior three-year period, the Registrar shall inform the Committee, which may direct that the member undergo a peer assessment or refer the matter to the Executive Committee for further action.

PEER ASSESSMENT

25. (1) After January 1, 2000, the College shall each year select at random names of members required to undergo a peer assessment.

(2) A member is required to undergo a peer review if,

- (a) his or her name is selected at random;
- (b) the Committee directs the member to undergo a peer assessment under subsection 24 (11); or
- (c) the member is referred to the Committee by the Complaints Committee, the Executive Committee or the Registrar.

26. (1) The Registrar shall notify a member whose practice is to be the subject of a peer assessment of the name of the assessor.

(2) The member may request that another assessor be appointed by the Committee at any time before the assessor begins the assessment but such a request may be made only once.

(3) On a request under subsection (2), the Committee may appoint a replacement assessor.

27. (1) On completion of the peer assessment, the assessor shall prepare a written assessment report and forward it to the Committee, along with copies of any records he or she considers relevant, with a copy of the report and records to the member.

(2) After considering the report, the Committee may decide that no further action is required or, if the member's knowledge, skills or judgment are found to be deficient, direct the member to correct the deficiencies by,

- (a) completing and passing a particular remedial or refresher course or courses of study to satisfy the Committee of the member's competence; or
- (b) acquiring particular instruments or equipment which, in the Committee's opinion, are usual or necessary in the practice of audiology or speech-language pathology.

(3) If the Committee takes action under clause (2) (a) or (b), the Committee may conduct a follow-up review to determine whether the deficiencies identified in the peer assessment have been corrected, which may include appointing an assessor to prepare a report.

(4) Subsections (1) and (2) apply to an assessment conducted as part of a follow-up review.

(5) No more than one follow-up review may be conducted under subsection (3).

28. Subject to section 29, the Committee may direct the Registrar to impose terms, conditions or limitations on a member's certificate of registration for a specified period not exceeding six months, if,

- (a) a peer assessment or follow-up review has demonstrated that the member's knowledge, skills or judgment are so deficient as to make his or her performance as an audiologist or speech-language pathologist unsatisfactory; or
- (b) the member has failed to undertake a specified remedial or refresher course or courses as required under clause 27 (2) (a) or to successfully complete such a course or courses as demonstrated by a follow-up review.

29. The Committee shall not give a direction to the Registrar under section 28 unless the member has been given,

- (a) notice of the Committee's intention to give the direction;

- (b) copies of all reports and other documents considered by the Committee in deciding to give the direction;
- (c) at least 30 days in which to make written submissions to the Committee; and
- (d) an opportunity to confer with the Committee.

30. If the Registrar imposes terms, conditions or limitations on a member's certificate of registration pursuant to a direction given by the Committee under section 28, the Committee may direct the Registrar to remove any of the terms, conditions or limitations before the end of the specified period if the Committee is satisfied that the member's knowledge, skills and judgment are no longer deficient.

31. If, by the end of a period for which terms, conditions or limitations have been imposed on the member's certificate, the member has failed to satisfy the Committee that the member's knowledge, skill and judgment are no longer deficient, the Committee may refer the matter to the Executive Committee.

REMEDIATION OF INAPPROPRIATE BEHAVIOUR AND REMARKS OF A SEXUAL NATURE

32. (1) The Committee may require a member to undergo a psychological assessment or other assessment specified by the Committee if a matter respecting the member is referred to the Committee,

- (a) by a panel of the Complaints Committee acting under paragraph 4 of subsection 26 (2) of the *Health Professions Procedural Code* with respect to clause (c) of the definition of "sexual abuse" in subsection 1 (3) of the Code; or
- (b) by the Executive Committee, the Complaints Committee or the Board under section 79.1 of the Code.

(2) The person who conducts an assessment under subsection (1) shall provide a written report of the results of the assessment to the Committee.

33. Subject to section 34, the Committee may require a member to undertake specified measures, such as education, therapy or counseling, if the Committee,

- (a) has received a report under subsection 32 (2); and
- (b) is of the opinion, on the basis of the report, that the specified measures will help the member to refrain from behaviour or remarks of a sexual nature.

34. (1) Subject to subsection (2), the Committee may direct the Registrar to impose terms, conditions or limitations on a member's certificate of registration, for a specified period not exceeding six months, if,

- (a) the member refuses to undergo an assessment required under subsection 32 (1); or
- (b) the member,
 - (i) refuses to undertake specified measures as required under section 33, or
 - (ii) has not yet completed such measures within the time specified by the Committee.

(2) No direction shall be given to the Registrar under subsection (1) unless the member,

- (a) is given notice of the Committee's intention to give the direction;
- (b) is given a copy of all reports and other documents that the Committee considered in connection with the giving of the direction; and

- (c) is given at least 30 days after receipt of the notice under clause (a) and the documents under clause (b) to make written submissions to the Committee.

35. If the Registrar imposes terms, conditions or limitations on a member's certificate of registration pursuant to a direction given by the Committee under subsection 34 (1), the Committee may direct the Registrar to remove the terms, conditions or limitations before the end of the specified period if the Committee is satisfied that the terms, conditions or limitations are no longer needed.

36. (1) The Committee shall not take action under section 32, 33 or 34 unless,

- (a) the member admits to the behaviour or remarks towards the patient or client which the member is alleged to have exhibited or made;
- (b) there is no pending allegation of sexual abuse against the member before the Discipline Committee and no finding of sexual abuse has been made against the member by the Discipline Committee; and
- (c) there is no pending review by the Board of the referral to the Committee and no disposition by the Board inconsistent with the referral to the Committee.

(2) If the Committee is unable to take action under section 32, 33 or 34 because the conditions set out in subsection (1) have not been met, it may refer the matter to the Executive Committee.

(3) A member's admission to behaviour or remarks for the purpose of clause (1) (a) and the results of any assessment under section 32 or measure undertaken under section 33 shall not be used as evidence that the member has committed an act of professional misconduct.

COUNCIL OF THE COLLEGE OF AUDIOLOGISTS AND
SPEECH-LANGUAGE PATHOLOGISTS OF ONTARIO:

HOLLIS CORBIN
President

STEVEN MCEVOY
Registrar

Dated on February 18, 1999.

15/99

ONTARIO REGULATION 186/99
made under the
DENTISTRY ACT, 1991

Made: December 21, 1998
Approved: March 24, 1999
Filed: March 26, 1999

Amending O. Reg. 205/94
(General)

Note: Ontario Regulation 205/94 has not previously been amended.

I. Ontario Regulation 205/94 is amended by adding the following Part:

PART II
FUNDING FOR THERAPY AND COUNSELLING

6. In this Part,

"member" includes a former member.

7. The Patient Relations Committee shall determine whether a person is eligible for funding under clause 85.7 (4) (a) of the Health Professions Procedural Code or under section 8.

8. (1) For the purposes of clause 85.7 (4) (b) of the Health Professions Procedural Code, the alternative requirements for a person to be eligible for funding for therapy and counselling are,

- (a) that the person must submit to the Patient Relations Committee a completed application form provided by the Committee which shall include the name of the member whose conduct may entitle the person to funding; and
- (b) that any of the circumstances described in subsection (2) exist.

(2) The circumstances in which a person may be eligible for funding are as follows:

1. There is an admission by a member, as part of a statement to or an agreement with the College, that the person, while a patient, was sexually abused by the member.
2. There is a finding by a court that the person, while a patient, was sexually assaulted, within the meaning of the *Criminal Code* (Canada), by a member.
3. There is a finding made by a panel of the Discipline Committee on or after December 31, 1993 that conduct of a sexual nature had occurred between the person and a member before December 31, 1993, while the person was a patient of the member, and that such conduct resulted in a finding of professional misconduct or incompetence against the member.
4. There is an allegation that the person was sexually abused by a member while a patient of the member, which allegation has been referred to a panel of the Discipline Committee for a hearing but the hearing is not held for one of the following reasons:
 - i. The member has died or the College believes that the member may have died or that the member cannot be located.
 - ii. The member is incapacitated.
 - iii. The member's certificate of registration was revoked for misconduct of a sexual nature toward a patient before the allegations in respect of the person were heard by a panel of the Discipline Committee.

COUNCIL OF THE ROYAL COLLEGE OF
DENTAL SURGEONS OF ONTARIO:

MALCOLM YASNY
President

MINNA STEIN
Registrar

Dated on December 21, 1998.

15/99

ONTARIO REGULATION 187/99**made under the
CHIROPODY ACT, 1991**

Made: January 26, 1999
 Approved: March 24, 1999
 Filed: March 26, 1999

Amending O. Reg. 830/93
 (Registration)

Note: Ontario Regulation 830/93 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Section 15 of Ontario Regulation 830/93 is revoked and the following substituted:

15. (1) A member who, on December 30, 1993, held a certificate of registration under subsection 3 (1), (3) or (4) of Regulation 73 of the Revised Regulations of Ontario, 1990, shall be deemed to hold a General certificate of registration.

(2) A member who, on December 30, 1993, held a certificate of registration under subsection 3 (1) of Regulation 73 of the Revised Regulations of Ontario, 1990, shall be deemed to be a member of the podiatrist class.

2. The Regulation is amended by adding the following sections:

15.1 (1) A person who, at the time of resigning as a member, held a general certificate of registration may be reinstated if he or she,

- (a) submits a completed application for reinstatement in the form provided by the Registrar and the required application fee;
- (b) pays the annual fee for the year in which he or she wishes to be reinstated and any other outstanding fees owing to the College; and
- (c) meets the requirements set out in section 3 and paragraphs 3 and 5 of subsection 4 (1).

(2) The application fee is non-refundable but the amount of the fee is deductible from the amount of the annual fee payable under clause (1) (b).

15.2 (1) A person who, at the time of resigning as a member, held an academic certificate of registration may be reinstated if he or she,

- (a) submits a completed application for reinstatement in the form provided by the Registrar and the required application fee;
- (b) pays the annual fee for the year in which he or she wishes to be reinstated and any other outstanding fees owing to the College; and
- (c) meets the requirements set out in section 3 and paragraphs 2 and 4 of subsection 5 (1).

(2) The application fee is non-refundable but the amount of the fee is deductible from the amount of the annual fee payable under clause (1) (b).

15.3 A person who, at the time of resigning as a member, was a member of the podiatrist class may be reinstated in the podiatrist class if he or she,

- (a) meets the requirements set out in sections 15.1 and 15.2; and

(b) was registered in the podiatrist class on December 30, 1993.

15.4 Sections 15.1, 15.2 and 15.3 do not apply to a member whose certificate of registration was suspended or revoked.

COUNCIL OF THE COLLEGE OF CHIROPODISTS OF ONTARIO:

SCOTT J. HÉBERT
President

CHRISTINE ROBINSON
Registrar

Dated on January 26, 1999.

15/99

ONTARIO REGULATION 188/99**made under the
DENTURISM ACT, 1991**

Made: February 1, 1999
 Approved: March 24, 1999
 Filed: March 26, 1999

Amending O. Reg. 206/94
 (General)

Note: Since the end of 1997, Ontario Regulation 206/94 has been amended by Ontario Regulation 555/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Ontario Regulation 206/94 is amended by adding the following Parts:

**PART V
 NOTICE OF MEETINGS AND HEARINGS**

18. (1) The Registrar shall ensure that notice of every Council meeting that is required to be open to the public under the Act is given in accordance with this Part.

(2) The notice shall be published in a daily newspaper of general circulation throughout Ontario at least 14 days before the date of the meeting.

(3) The notice shall be in English and French.

(4) The notice shall include the intended date, time and place of the meeting and indicate its purpose.

(5) The Registrar shall give notice of Council meetings to every person who requests it.

19. (1) The Registrar shall ensure that information concerning every hearing into allegations of professional misconduct or incompetence held by a panel of the Discipline Committee is given to every person who requests it.

(2) The information to be provided shall include the name of the member against whom the allegations have been made, his or her principal place of practice, the intended date, time and place of the hearing and a statement of the purpose of the hearing.

(3) For requests received more than 30 days before the date of the hearing, the Registrar shall, where possible, provide the information at least 30 days before that date.

(4) For requests received less than 30 days before the date of the hearing, the Registrar shall provide the information as soon as reasonably possible before that date.

(2) A publication under subsection (1) shall not identify the member who was the subject of the decision.

COUNCIL OF THE COLLEGE OF DENTURISTS OF ONTARIO:

(5) The information provided must be in English or upon request, in French.

J. VON FIELTIZ
Chair

PART VI PUBLICATION OF DECISIONS AFTER HEARINGS

J. WOJCIK
Registrar

20. (1) The College shall publish the decisions of panels of the Fitness to Practice Committee and the reasons for decision, or a summary of such reasons, in its annual report and may publish the decisions and reasons or summary in any other publication of the College.

Dated on February 1, 1999.

15/99

ONTARIO REGULATION 189/99 made under the CORPORATIONS ACT

Made: March 3, 1999
Filed: March 26, 1999

Amending Reg. 181 of R.R.O. 1990
(General)

Note: Since the end of 1997, Regulation 181 has been amended by Ontario Regulation 563/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Regulation 181 of the Revised Regulations of Ontario, 1990 is amended by adding the following section:

16.1 If a corporation has a seal, it may set out the seal on any form prescribed by this Regulation.

2. Subsection 27 (2) of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

(2) Except in the case of continuance under the laws of another Canadian jurisdiction, the application for authorization to be continued as a corporation under the laws of another jurisdiction shall be accompanied by a legal opinion stating that the laws of the other jurisdiction provide that,

3. This Regulation comes into force on April 1, 1999.

DAVID T. TSUBOUCHI
Minister of Consumer and Commercial Relations

Dated on March 3, 1999.

15/99

RÈGLEMENT DE L'ONTARIO 189/99 pris en application de la LOI SUR LES PERSONNES MORALES

pris le 3 mars 1999
déposé le 26 mars 1999

modifiant le Règl. 181 des R.R.O. de 1990
(Dispositions générales)

Remarque : Depuis la fin de 1997, le Règlement 181 a été modifié par le Règlement de l'Ontario 563/98. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1997.

1. Le Règlement 181 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction de l'article suivant :

16.1 La personne morale qui a un sceau peut l'apposer sur toute formule que prescrit le présent règlement.

2. Le paragraphe 27 (2) du Règlement est modifié par substitution de ce qui suit au passage qui précède l'alinéa a) :

(2) Sauf dans le cas d'un maintien effectué aux termes des lois d'une autre autorité législative canadienne, la requête présentée en vue d'obtenir l'autorisation de maintien comme personne morale en vertu des lois d'une autre autorité législative est accompagnée d'un avis juridique portant que les lois de cette autre autorité législative prévoient ce qui suit :

3. Le présent règlement entre en vigueur le 1^{er} avril 1999.

DAVID T. TSUBOUCHI
Ministre de la Consommation et du Commerce

Fait le 3 mars 1999.

ONTARIO REGULATION 190/99
made under the
BUSINESS CORPORATIONS ACT

Made: March 24, 1999
Filed: March 26, 1999

Amending Reg. 62 of R.R.O. 1990
(General)

Note: Since the end of 1997, Regulation 62 has been amended by Ontario Regulation 561/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Paragraph 4 of section 15 of Regulation 62 of the Revised Regulations of Ontario, 1990 is revoked.

2. Section 23 of the Regulation is revoked.

3. Sections 39 and 39.1 of the Regulation are revoked.

4. Section 43 of the Regulation is amended by adding the following subsection:

(0.1) For the purposes of subclause 177 (1) (b) (ii) of the Act, articles of amalgamation may differ from the articles of the amalgamating holding corporation by providing for,

(a) a different name; or

(b) a different address where the registered office is to be located.

5. Sections 63, 64, 65, 65.1 and 66 of the Regulation are revoked.

6. The Schedule to the Regulation is revoked.

7. Form 20 of the Regulation is revoked.

8. This Regulation comes into force on April 1, 1999.

15/99

RÈGLEMENT DE L'ONTARIO 190/99
pris en application de la
LOI SUR LES SOCIÉTÉS PAR ACTIONS

pris le 24 mars 1999
déposé le 26 mars 1999

modifiant le Règl. 62 des R.R.O. de 1990
(Dispositions générales)

Remarque : Depuis la fin de 1997, le Règlement 62 a été modifié par le Règlement de l'Ontario 561/98. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1997.

1. La disposition 4 de l'article 15 du Règlement 62 des Règlements refondus de l'Ontario de 1990 est abrogée.

2. L'article 23 du Règlement est abrogé.

3. Les articles 39 et 39.1 du Règlement sont abrogés.

4. L'article 43 du Règlement est modifié par adjonction du paragraphe suivant :

(0.1) Pour l'application du sous-alinéa 177 (1) b) (ii) de la Loi, les statuts de fusion peuvent différer des statuts de la société mère qui fusionne en prévoyant :

a) soit une dénomination sociale différente;

b) soit un siège social situé à une adresse différente.

5. Les articles 63, 64, 65, 65.1 et 66 du Règlement sont abrogés.

6. L'annexe du Règlement est abrogée.

7. La formule 20 du Règlement est abrogée.

8. Le présent règlement entre en vigueur le 1^{er} avril 1999.

ONTARIO REGULATION 191/99
made under the
BUSINESS NAMES ACT

Made: March 24, 1999
Filed: March 26, 1999

Amending O. Reg. 121/91
(General)

Note: Since the end of 1997, Ontario Regulation 121/91 has been amended by Ontario Regulation 562/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Sections 11 and 11.1 of Ontario Regulation 121/91 are revoked.

2. This Regulation comes into force on April 1, 1999.

15/99

RÈGLEMENT DE L'ONTARIO 191/99
pris en application de la
LOI SUR LES NOMS COMMERCIAUX

pris le 24 mars 1999
déposé le 26 mars 1999

modifiant le Règl. de l'Ont. 121/91
(Dispositions générales)

Remarque : Depuis la fin de 1997, le Règlement de l'Ontario 121/91 a été modifié par le Règlement de l'Ontario 562/98. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1997.

1. Les articles 11 et 11.1 du Règlement de l'Ontario 121/91 sont abrogés.

2. Le présent règlement entre en vigueur le 1^{er} avril 1999.

ONTARIO REGULATION 192/99made under the
CORPORATIONS ACT

Made: March 24, 1999

Filed: March 26, 1999

Amending Reg. 181 of R.R.O. 1990
(General)

Note: Since the end of 1997, Regulation 181 has been amended by Ontario Regulations 563/98 and 189/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. (1) Subsection 15 (1) of Regulation 181 of the Revised Regulations of Ontario, 1990 is revoked.

(2) Subsection 15 (4) of the Regulation is revoked.

2. Section 21 of the Regulation is revoked.

3. Sections 33, 33.1, 34, 35 and 36 of the Regulation are revoked and the following substituted:

SEARCHES

33. If a required fee is paid for a search requested in person, the Minister may produce for examination the original documents on file, if any, in which case no microfiche or microfiche copy of the documents will be supplied.

4. The Schedule to the Regulation is revoked.

5. This Regulation comes into force on April 1, 1999.

15/99

RÈGLEMENT DE L'ONTARIO 192/99pris en application de la
LOI SUR LES PERSONNES MORALES

pris le 24 mars 1999

déposé le 26 mars 1999

modifiant le Règl. 181 des R.R.O. de 1990
(Dispositions générales)

Remarque : Depuis la fin de 1997, le Règlement 181 a été modifié par les Règlements de l'Ontario 563/98 et 189/99. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1997.

1. (1) Le paragraphe 15 (1) du Règlement 181 des Règlements refondus de l'Ontario de 1990 est abrogé.

(2) Le paragraphe 15 (4) du Règlement est abrogé.

2. L'article 21 du Règlement est abrogé.

3. Les articles 33, 33.1, 34, 35 et 36 du Règlement sont abrogés et remplacés par ce qui suit :

RECHERCHE

33. Si des droits exigés sont payés pour une recherche demandée en personne, le ministre peut produire pour examen l'original des documents déposés, le cas échéant, auquel cas aucun microfilm ni aucune copie de microfilm des documents ne doit être fourni.

4. L'annexe du Règlement est abrogée.

5. Le présent règlement entre en vigueur le 1^{er} avril 1999.

ONTARIO REGULATION 193/99
made under the
CORPORATIONS INFORMATION ACT

Made: March 24, 1999

Filed: March 26, 1999

Amending Reg. 182 of R.R.O. 1990
(General)

Note: Since the end of 1997, Regulation 182 has been amended by Ontario Regulation 564/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Paragraph 14 of section 2 of Regulation 182 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

14. The immediate former name of the corporation.

2. Section 8 of the Regulation is revoked.

3. The Schedule to the Regulation is revoked.

4. This Regulation comes into force on April 1, 1999.

15/99

RÈGLEMENT DE L'ONTARIO 193/99
pris en application de la
LOI SUR LES RENSEIGNEMENTS EXIGÉS DES PERSONNES MORALES

pris le 24 mars 1999

déposé le 26 mars 1999

modifiant le Règl. 182 des R.R.O. de 1990
(Dispositions générales)

Remarque : Depuis la fin de 1997, le Règlement 182 a été modifié par le Règlement de l'Ontario 564/98. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1997.

1. La disposition 14 de l'article 2 du Règlement 182 des Règlements refondus de l'Ontario de 1990 est abrogée et remplacée par ce qui suit :

14. La dénomination sociale de la personne morale précédant immédiatement sa dénomination actuelle.

2. L'article 8 du Règlement est abrogé.

3. L'annexe du Règlement est abrogée.

4. Le présent règlement entre en vigueur le 1^{er} avril 1999.

ONTARIO REGULATION 194/99
made under the
EXTRA-PROVINCIAL CORPORATIONS ACT

Made: March 24, 1999
Filed: March 26, 1999

Amending Reg. 365 of R.R.O. 1990
(General)

Note: Since the end of 1997, Regulation 365 has been amended by Ontario Regulation 565/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Sections 13 and 14 of Regulation 365 of the Revised Regulations of Ontario, 1990 are revoked.
2. The Schedule to the Regulation is revoked.
3. This Regulation comes into force on April 1, 1999.

15/99

RÈGLEMENT DE L'ONTARIO 194/99
pris en application de la
LOI SUR LES PERSONNES MORALES
EXTRAPROVINCIALES

pris le 24 mars 1999
déposé le 26 mars 1999

modifiant le Règl. 365 des R.R.O. de 1990
(Dispositions générales)

Remarque : Depuis la fin de 1997, le Règlement 365 a été modifié par le Règlement de l'Ontario 565/98. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1997.

1. Les articles 13 et 14 du Règlement 365 des Règlements refondus de l'Ontario de 1990 sont abrogés.
2. L'annexe du Règlement est abrogée.
3. Le présent règlement entre en vigueur le 1^{er} avril 1999.

ONTARIO REGULATION 195/99
made under the
LIMITED PARTNERSHIP ACT

Made: March 24, 1999
Filed: March 26, 1999

Amending Reg. 713 of R.R.O. 1990
(General)

Note: Since the end of 1997, Regulation 713 has been amended by Ontario Regulation 566/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Section 4 of Regulation 713 of the Revised Regulations of Ontario, 1990 is revoked.
2. The Schedule to the Regulation is revoked.
3. This Regulation comes into force on April 1, 1999.

15/99

RÈGLEMENT DE L'ONTARIO 195/99
pris en application de la
LOI SUR LES SOCIÉTÉS EN COMMANDITE

pris le 24 mars 1999
déposé le 26 mars 1999

modifiant le Règl. 713 des R.R.O. de 1990
(Dispositions générales)

Remarque : Depuis la fin de 1997, le Règlement 713 a été modifié par le Règlement de l'Ontario 566/98. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1997.

1. L'article 4 du Règlement 713 des Règlements refondus de l'Ontario de 1990 est abrogé.
2. L'annexe du Règlement est abrogée.
3. Le présent règlement entre en vigueur le 1^{er} avril 1999.

ONTARIO REGULATION 196/99
made under the
BUSINESS CORPORATIONS ACT

Made: March 3, 1999
Filed: March 26, 1999

Amending Reg. 62 of R.R.O. 1990
(General)

Note: Since the end of 1997, Regulation 62 has been amended by Ontario Regulations 561/98 and 190/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Clause 50 (2) (c) of Regulation 62 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

RÈGLEMENT DE L'ONTARIO 196/99
pris en application de la
LOI SUR LES SOCIÉTÉS PAR ACTIONS

pris le 3 mars 1999
déposé le 26 mars 1999

modifiant le Règl. 62 des R.R.O. de 1990
(Dispositions générales)

Remarque : Depuis la fin de 1997, le Règlement 62 a été modifié par les Règlements de l'Ontario 561/98 et 190/99. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1997.

1. L'alinéa 50 (2) c) du Règlement 62 des Règlements refondus de l'Ontario de 1990 est abrogé et remplacé par ce qui suit :

- (c) except in the case of a body corporate incorporated or continued under the laws of a Canadian jurisdiction, a legal opinion to the effect that the laws of the jurisdiction to which the body corporate is subject authorize the body corporate to apply for letters of continuance.

2. Clause 51 (2) (c) of the Regulation is revoked and the following substituted:

- (c) except in the case of continuance under the laws of another Canadian jurisdiction, a legal opinion to the effect that the laws of the other jurisdiction meet the requirements set out in subsection 181 (9) of the Act.

3. Section 52 of the Regulation is amended by adding the following subsection:

- (2) A copy of the arrangement need not be attached as Exhibit "A" to the articles of arrangement if the copy is included as part of the Order of the court which is Exhibit "B" to the articles.

4. This Regulation comes into force on April 1, 1999.

DAVID T. TSUBOUCHI

Minister of Consumer and Commercial Relations

Dated on March 3, 1999.

- c) sauf dans le cas où la personne morale est constituée ou maintenue aux termes des lois d'une autorité législative canadienne, d'une opinion juridique portant que les lois de l'autorité législative à laquelle la personne morale est assujettie autorisent cette dernière à demander la délivrance de statuts de maintien.

2. L'alinéa 51 (2) c) du Règlement est abrogé et remplacé par ce qui suit :

- c) sauf dans le cas d'un maintien effectué aux termes des lois d'une autre autorité législative canadienne, d'une opinion juridique portant que les lois de cette autre autorité législative satisfont aux exigences énoncées au paragraphe 181 (9) de la Loi.

3. L'article 52 du Règlement est modifié par adjonction du paragraphe suivant :

- (2) Il n'est pas nécessaire de joindre une copie de l'arrangement aux statuts d'arrangement comme annexe «A» si elle est comprise dans l'ordonnance du tribunal comme annexe «B» des statuts.

4. Le présent règlement entre en vigueur le 1^{er} avril 1999.

DAVID T. TSUBOUCHI

Ministre de la Consommation et du Commerce

Fait le 3 mars 1999.

15/99

ONTARIO REGULATION 197/99
made under the
HIGHWAY TRAFFIC ACT

Made: March 25, 1999

Filed: March 26, 1999

Amending O. Reg. 424/97

(Commercial Vehicle Operator's Registration Certificates)

Note: Ontario Regulation 424/97 has not previously been amended.

1. The title to Ontario Regulation 424/97 is revoked and the following substituted:

**COMMERCIAL MOTOR VEHICLE
OPERATORS' INFORMATION**

2. The Regulation is amended by adding the following heading before section 1:

**PART I
CVOR CERTIFICATES**

3. Subsection 1 (1) of the Regulation is amended by adding the following definitions:

"audit" means an inspection of the records pertaining to the transportation enterprise of an operator and an assessment of the operator's safety performance and practices;

"auditor" means,

- (a) an officer appointed for the purpose of carrying out the provisions of the Act,
- (b) a person engaged as an auditor by an organization recognized by the Registrar, or

- (c) a person recognized as an auditor by another jurisdiction who, in the Registrar's opinion, performs audits similar to those performed in Ontario in an acceptable form and manner;

4. Section 5 of the Regulation is revoked and the following substituted:

5. (1) The safety record of an operator shall contain a record of the following information:

- 1. Any suspension or cancellation of the plate portion of the permit under clause 47 (1) (a) of the Act.
- 2. Any suspension or cancellation of the operator's CVOR certificate under clause 47 (1) (c) of the Act.
- 3. Any restriction imposed under subsection 47 (2) of the Act on the number of commercial motor vehicles that may be operated by the operator.
- 4. Any order under subsections 47 (8.1) or (10) of the Act for the seizure of the plate portion of permits, permits or number plates.
- 5. Any notice sent to the operator under section 47.1 of the Act.
- 6. Any warning letters sent by, or interviews held with, Ministry officials relating to the operator's safety performance and practices.
- 7. Any conviction related to the operation of a commercial motor vehicle or a vehicle drawn by it, for an offence committed by an operator, its agents or employees,
 - i. under this Act or under any other Act of the Legislature or the Parliament of Canada or any regulation or order made under any of them, or
 - ii. for an offence under a municipal by-law regulating traffic on the highways, or orders made under any of them, except convictions for offences for standing or parking.

8. The particulars of any accident involving a commercial motor vehicle operated by the operator or a vehicle drawn by it.
 9. The results of any inspection under section 82 or 82.1 of the Act or any similar inspection of a commercial motor vehicle operated by the operator, or a vehicle drawn by it.
 10. The results of any investigation or inspection of the records of the operator,
 - i. under the Act, the *Compulsory Automobile Insurance Act*, the *Dangerous Goods Transportation Act*, the *Public Vehicles Act*, the *Truck Transportation Act*, the *Fuel Tax Act*, the *Trades Qualifications and Apprenticeship Act*, the *Motor Vehicle Transport Act* (Canada), or
 - ii. under any other Act of the Legislature or the Parliament of Canada or any regulation or order made under any of them if, in the Registrar's opinion, the results of the investigation or inspection contain information described in paragraphs 14, 15 or 16, or relate to the safe operation of its commercial motor vehicles or vehicles drawn by them.
 11. Any safety rating that has been assigned to the operator.
 12. The results of any audits of the operator.
 13. Any record from another jurisdiction in respect of the operator that is comparable to that described in any of paragraphs 1 to 12.
 14. The operator's fleet size.
 15. The total number of kilometres travelled in the previous 12 months by all the commercial motor vehicles operated by the operator in Ontario.
 16. The total kilometres travelled in Ontario in the previous 12 months by all the commercial motor vehicles operated by the operator.
 17. Any compilations or analyses of any of the information in paragraphs 1 to 16.
- (2) The following do not form part of a safety record:
1. A record that is not in the possession of the Registrar.
 2. A record originating outside of Ontario that, in the Registrar's opinion, is unreasonably difficult to refer to (because of its form or medium of storage, or for any other reason).
 3. A record described in paragraphs 1 to 7 of subsection (1) if, in the Registrar's opinion, the record does not relate to the safe operation of the operator's commercial motor vehicles, or vehicles drawn by them.

5. Sections 8 and 9 of the Regulation are revoked and the following substituted:

PART II SAFETY RATINGS

8. This Part applies to the assignment of safety ratings under section 17.1 of the Act.

9. In this Part, the date on which an audit is completed is the most recent date on which an auditor has completed the audit report or an amendment to it.

10. (1) The Registrar shall assign to an operator one of the following safety ratings, as determined in this Part:

1. Excellent.
2. Satisfactory.
3. Satisfactory Unaudited.
4. Conditional.
5. Unsatisfactory.

(2) A safety rating set out in a paragraph of subsection (1) is a higher rating than a rating set out in a later paragraph.

11. (1) The Registrar may assign an Excellent rating to an operator where, in the Registrar's opinion, the operator's safety record shows that the operator's performance and practices are excellent with respect to the safe operation of its commercial motor vehicles and vehicles drawn by them.

(2) The Registrar shall not assign an Excellent rating to an operator unless,

- (a) the operator's safety record contains the results of an audit completed after January 1, 1999 and within the preceding 36 months;
- (b) the operator,
 - (i) has held a CVOR certificate for at least 24 months, or
 - (ii) has satisfied the Registrar that it has been operating in Ontario for at least 24 months and has obtained a CVOR certificate, if no CVOR certificate was required; and
- (c) the operator has had a satisfactory rating for at least six months, if the operator's rating has been reduced from excellent to satisfactory.

12. (1) The Registrar may assign a Satisfactory rating to an operator where, in the Registrar's opinion, the operator's safety record shows that the operator's performance and practices are satisfactory with respect to the safe operation of its commercial motor vehicles and vehicles drawn by them.

(2) The Registrar shall not assign a Satisfactory rating to an operator rated Conditional or Satisfactory Unaudited unless,

- (a) the operator's safety record contains the results of an audit completed after January 1, 1999 and within the preceding 36 months; and
- (b) the operator,
 - (i) has held a CVOR certificate for at least six months, or
 - (ii) has satisfied the Registrar that it has been operating in Ontario for at least six months and has obtained a CVOR certificate, if no CVOR certificate was required.

13. (1) The Registrar may assign a Satisfactory Unaudited rating to an operator if the operator has not been audited and, in the Registrar's opinion, the operator's safety record shows that the operator's performance and practices are satisfactory with respect to the safe operation of its commercial motor vehicles and vehicles drawn by them.

(2) For the purpose of subsection (1), an operator shall be deemed not to have been audited if,

- (a) the operator has a conditional rating;
- (b) the most recent audit in the operator's safety record was completed more than 36 months ago; and
- (c) the results of that audit are satisfactory in the Registrar's opinion.

14. (1) The Registrar may assign a Conditional rating to an operator where, in the Registrar's opinion, the operator's safety record shows that the operator's performance and practices are less than satisfactory with respect to the safe operation of its commercial motor vehicles and vehicles drawn by them.

(2) The Registrar shall assign a Conditional rating to an operator when nothing described in paragraphs 1, 2 or 3 of subsection 15 (1) which resulted in an Unsatisfactory rating under subsection 15 (1), is any longer in effect.

(3) The Registrar shall not assign to an operator a higher rating sooner than six months after the Registrar assigns to the operator a Conditional rating.

15. (1) The Registrar shall assign an Unsatisfactory rating to an operator on the first day when any of the following comes into effect, for reasons which, in the Registrar's opinion, relate to the safe operation of the operator's commercial motor vehicles or vehicles drawn by them:

- 1. The plate portion of the operator's permit is suspended or cancelled under clause 47 (1) (a) of the Act.
- 2. The operator's CVOR certificate is suspended or cancelled under clause 47 (1) (c) of the Act.

- 3. The time period specified in an order under subsection 47 (10) of the Act during which an operator's permit or number plate may be seized, is in effect.

(2) The Registrar shall not assign to an operator a rating higher than Unsatisfactory while anything described in paragraphs 1, 2 or 3 of subsection (1) is in effect.

16. (1) In assigning a safety rating, the Registrar shall have regard to the operator's safety record.

(2) In assigning a safety rating, the Registrar,

- (a) may have regard to the safety record of a person related to the operator;
- (b) need not consider audit results from an audit completed less than six months after the date on which a previous audit was completed; and
- (c) need not consider audit results where he or she is of the view that the records audited do not adequately reflect the operator's safety performance and practices in Ontario.

(3) Subsection 17 (4) of the Act applies, with necessary modifications, for the purpose of determining who are related persons under clause (2) (a).

6. This Regulation comes into force on the day section 3 of the *Road Safety Act (No.2)*, 1996 comes into force.

15/99

Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1999—04—17

ONTARIO REGULATION 198/99

made under the
PLANNING ACT

Made: March 25, 1999

Filed: March 29, 1999

Amending O. Reg. 104/72

(Restricted Areas—Regional Municipality of York—Town of Markham)

Note: Since the end of 1997, Ontario Regulation 104/72 has been amended by Ontario Regulation 269/98 and 62/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Ontario Regulation 104/72 is amended by adding the following section:

77. (1) In this section,

“cemetery” means land that is set apart or used as a place for the interment of the dead or in which human bodies have been buried.

(2) Despite section 4, the land described in subsection (3) may be used for a cemetery together with an accessory prayer chapel and storage shed if the following requirements are met:

Minimum front yard	60 metres
Minimum side yard	6 metres
Maximum gross floor area of prayer chapel	600 square metres
Maximum ground floor area of prayer chapel	300 square metres
Maximum height of prayer chapel	1 storey

(3) Subsections (1) and (2) apply to the land in the Town of Markham in The Regional Municipality of York, being part of Lot 27, Concession V designated as Part 1 on Plan 65R-20867 deposited in the Land Registry Office for the Registry Division of York Region (No. 65).

AUDREY BENNETT
Manager

*Provincial Planning and Environmental Services Branch
Ministry of Municipal Affairs and Housing*

Dated on March 25, 1999.

16/99

ONTARIO REGULATION 199/99

made under the
CHILD AND FAMILY SERVICES ACT

Made: March 24, 1999

Filed: March 29, 1999

Amending Reg. 70 of R.R.O. 1990
(General)

Note: Regulation 70 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. (1) The definitions of “approved estimate”, “net expenditures” and “population” in section 1 of Regulation 70 of the Revised Regulations of Ontario, 1990 are revoked.

(2) Section 1 of the Regulation is amended by adding the following definition:

“service and budget estimate”, with respect to an approved agency or an approved corporation in a particular fiscal year, means its estimated services and its estimated associated costs for those services;

2. Subsection 5 (4) of the Regulation is revoked.

3. Sections 14 and 15 of the Regulation are revoked and the following substituted:

BUDGETS—APPROVED AGENCIES

14. (1) Every approved agency and every approved corporation shall, before a date fixed by the Minister for each fiscal year, prepare and file with the Minister in a form provided by the Minister a service and budget estimate for that fiscal year.

(2) If an approved agency or approved corporation does not file a service and budget estimate in accordance with subsection (1), the Minister may at any time after the date fixed by the Minister for filing it determine the amount of the estimate and approve it for that fiscal year.

(3) The Minister may approve or vary and approve a service and budget estimate filed under subsection (1).

(4) The Minister may vary and approve a service and budget estimate after an approval has been given and before the end of the fiscal year to which the estimate relates.

(5) An approved agency or approved corporation may file with the Minister an amendment to its service and budget estimate for a fiscal year if it does so before the end of that fiscal year.

(6) The Minister may approve, vary and approve or refuse to approve an amended service and budget estimate filed under subsection (5).

(7) A service and budget estimate approved under subsection (2), (3), (4) or (6) and a refusal to approve an amended estimate under subsection (6) shall be provided to the approved agency or approved corporation.

(8) An approved agency or approved corporation may, within 30 days after receiving an approved service and budget estimate or a refusal to approve an amended estimate, request either or both of the following:

1. A meeting with the Minister.

2. That the Minister consider written submissions from the approved agency or approved corporation.

(9) A date for a meeting shall be fixed and written submissions shall be filed no later than 30 days after the Minister receives the request, unless otherwise agreed by the Minister.

(10) After considering the presentation or written submissions made by the approved agency or approved corporation, the Minister may,

(a) vary the service and budget estimate or amended estimate and approve it as varied; or

(b) confirm the service and budget estimate previously approved under this section.

(11) A decision of the Minister under subsection (10) is final.

(12) If an approved agency or approved corporation receives an approved service and budget estimate and does not make a request within the 30-day period set out in subsection (8), the Minister's decision with respect to approval of the estimate is final.

PAYMENTS AND ADJUSTMENTS

15. (1) An amount paid to an approved agency or an approved corporation under this Part shall not exceed the amount of the approved service and budget estimate and shall only be expended by the approved agency or approved corporation in accordance with the approved service and budget estimate.

(2) Before the service and budget estimate of an approved agency or approved corporation has been approved for a fiscal year, amounts may be paid to it for that fiscal year, based on the approved service and budget estimate for the preceding year.

(3) An amount payable under this Part may be paid in advance.

(4) An amount paid under this Part may be adjusted by the Minister upon receipt of the annual financial statement and the reconciliation report of the approved agency or approved corporation required under section 5.

(5) The amount of an adjustment to an approved service and budget estimate,

(a) shall be refunded by the approved agency or approved corporation to Ontario when Ontario so requests; or

(b) shall be taken into account in approving the service and budget estimate of the approved agency or approved corporation for a subsequent fiscal year.

4. Subsection 16 (1) of the Regulation is revoked and the following substituted:

(1) The board of directors of a society shall pass a by-law that provides for an executive committee that consists of the president and the treasurer of the board of directors and that provides for the election from among the directors of at least three additional members.

5. Sections 17 to 23 and 26 and 27 of the Regulation are revoked.

6. Clause 34 (3) (b) of the Regulation is revoked and the following substituted:

(b) the person is receiving benefits under the *Family Benefits Act*, basic financial assistance under the *Ontario Works Act, 1997* or income support under the *Ontario Disability Support Program Act, 1997*.

7. Form 1 of the Regulation is revoked.

8. Amounts paid under subsection 15 (2) of the Regulation for the fiscal year beginning in 1999 shall be based on the previous year's approved estimate.

9. This Regulation comes into force on April 1, 1999.

ONTARIO REGULATION 200/99 made under the INTERCOUNTRY ADOPTION ACT, 1998

Made: March 24, 1999

Filed: March 29, 1999

GENERAL

CENTRAL AUTHORITY AND DIRECTORS

1. For the purpose of Article 6 of the Convention, the Central Authority for Ontario is the Ministry of Community and Social Services.

2. The following persons are Directors for the purposes of the Act:

1. The Manager, Central Services Unit, Ministry of Community and Social Services.

2. The Coordinator of Private and International Adoption, Ministry of Community and Social Services.

ASSIGNMENT OF FUNCTIONS OF CENTRAL AUTHORITY

3. If a licensee meets the qualifications for an accredited body under Article 11 of the Convention, the licensee may perform the following functions of the Central Authority:

1. Receive applications from persons wishing to adopt a child from another country, as provided for in Article 14.

2. Ensure that prospective adoptive parents have agreed to the proposed adoption of a child from another country, as provided for in Article 17 (a).

3. Take all necessary steps to obtain permission for the child to leave the State of origin and to enter and reside permanently in the receiving State, as provided for in Article 18.

4. Ensure that the transfer of the child takes place in secure and appropriate circumstances and, if possible, in the company of the adoptive or prospective adoptive parents, as provided for in Article 19 (2).

5. Provide progress reports to the Central Authority of a child's State of origin or to a Director about the adoption process and measures taken to complete it, as well as the progress of the placement if a probationary period is required, as provided for in Article 20.

6. Take the measures necessary to protect a child during a probationary period in accordance with Article 21.

PREScribed PERSONS AND BODIES

4. The following are prescribed persons and bodies for the purposes of clause 7 (d) of the Act:

1. Children's aid societies in Ontario.

2. Ministries and agencies of the Government of Ontario.

3. The authorities responsible for law enforcement in Ontario.

DEFINITION OF FACILITATE

5. For the purpose of subsection 8 (1) of the Act,

"facilitate", with respect to an adoption, means any of the following:

1. Receive an application under section 5 of the Act.
2. Submit a report of an adoption homestudy to a Director.
3. Present a proposal to adopt a particular child to an applicant whose eligibility and suitability to adopt has been approved by a Director.
4. Submit an applicant's consent or refusal to adopt a particular child to the Central authority of a child's State of origin, the authority responsible for adoption in the child's State of origin or a Director.
5. Submit to the Central authority of a child's State of origin, the authority responsible for adoption in the child's State of origin or a Director a progress report concerning a child who has been placed for adoption but whose adoption has not been finalized when such a report is requested by the state of origin.

EXPENSES FOR WHICH FEES MAY BE CHARGED

6. The following are prescribed as classes of expenses incurred by a licensee for the purposes of clause 19 (a) of the Act:

1. Expenses incurred in receiving and processing applications for intercountry adoptions from prospective adoptive parents.
2. Expenses incurred with respect to the provision of adoption orientation and preparation to applicants for intercountry adoptions.
3. Expenses incurred with respect to an adoption homestudy.
4. Expenses incurred with respect to proposals to adopt particular children presented to applicants whose eligibility and suitability to adopt has been approved by a Director.
5. Expenses incurred in submitting applicants' consents or refusals to adopt particular children to the Central authority of a child's State of origin, the authority responsible for adoption in the child's State of origin or a Director.
6. Expenses incurred in obtaining permission for a child to leave his or her State of origin and enter and reside permanently in Ontario.
7. Expenses incurred in making arrangements for the secure and appropriate transfer of a child from the State of origin to Ontario.
8. If an adoption placement requires a probationary period before finalization, expenses incurred in making arrangements for supervising the placement.
9. Expenses incurred in making progress reports and follow up reports.
10. Any expenses the licensee incurs with respect to services related to the adoption provided in the child's State of origin in accordance with the laws of that State.
11. Expenses with respect to the administration of an intercountry adoption.

7. The following is prescribed as a class of expenses incurred by a person authorized to make a home study under subsection 5 (3) of the Act for the purposes of clause 19 (b) of the Act:

1. Expenses incurred by the person in preparing a home study to assess the prospective adoptive parent's eligibility and suitability to adopt.

8. The following is prescribed as a class of expenses incurred by a Director for the purposes of clause 19 (c) of the Act:

1. Expenses incurred by the Director in processing an adoptive parent's or prospective adoptive parent's intercountry adoption file.
2. Expenses with respect to the administration of an adoptive parent's or prospective adoptive parent's intercountry adoption file.

LICENCES

9. (1) An application under section 8 of the Act for a licence or for renewal of a licence shall be in the form approved by the Minister.

(2) The application shall contain the following information:

1. The name, address, telephone number and other relevant identifying information concerning the applicant.
2. Information concerning the applicant's knowledge of the legislation of Canada, Ontario and foreign jurisdictions relevant to intercountry adoption.
3. Information concerning the applicant's training, experience and expertise with respect to intercountry adoption.
4. Information concerning the applicant's ability to provide services and carry out administrative procedures in accordance with the Act.

(3) The fee payable on an application for a licence or for renewal of a licence is \$1,800.

(4) A licence expires one year after it is issued.

RECORDS AND REPORTS

10. (1) Every licensee shall open and keep up to date a separate file with respect to each prospective adoptive parent.

(2) If a child who is the subject of an adoption proposal is not transferred to Ontario from his or her State of origin, the licensee with respect to that child shall return to a Director all copies of the adoption proposal with respect to that child.

(3) Subject to subsection (2) and section 18 of the Act, every licensee shall permanently retain each file referred to in subsection (1).

11. (1) Every licensee shall keep a record of all expenditures made and money received with respect to the licensee's facilitation of intercountry adoptions.

(2) Every licensee shall keep a separate book of account showing, for each prospective adoptive parent with respect to whom the licensee makes a deposit or withdrawal of money, the name of the adoptive parent from whom the deposit or withdrawal is made and the date of that deposit or withdrawal.

(3) Every licensee shall, when required by a Director, prepare and submit financial reports, including reports by a public accountant licensed under the *Public Accountancy Act*, with respect to the licensee's facilitation of intercountry adoptions.

12. A corporate licensee shall notify a Director in writing within 15 days after any change in the officers or directors of the corporation.

POWER OF ENTRY

13. A person entering premises under section 17 of the Act shall produce identification, including evidence of appointment, on the request of the occupier.

COMMENCEMENT

14. (1) Subject to subsection (2), this Regulation comes into force on the day section 1 of the Act is proclaimed in force.

(2) Sections 4 to 8 and 10 and 11 come into force on the day section 5 of the Act is proclaimed in force.

16/99

ONTARIO REGULATION 201/99

made under the
HEALTH INSURANCE ACT

Made: March 24, 1999

Filed: March 30, 1999

Amending Reg. 552 of R.R.O. 1990
(General)

Note: Since the end of 1997, Regulation 552 has been amended by Ontario Regulations 2/98, 44/98, 87/98, 111/98, 145/98, 146/98, 147/98, 172/98, 236/98, 375/98, 376/98, 377/98, 378/98, 478/98, 479/98, 528/98, 567/98, 575/98, 58/99, 59/99, 60/99, 85/99, 108/99, 177/99 and 178/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Subsection 1 (1) of Regulation 552 of the Revised Regulations of Ontario, 1990 is amended by adding the following definition:

"schedule of laboratory benefits" means the Ministry of Health document titled "Schedule of Benefits for Laboratory Services" and dated April 1, 1999;

2. (1) Subsection 22 (4) of the Regulation is amended by striking out "Schedule 11" at the end and substituting "schedule of laboratory benefits".

(2) Subsection 22 (5) of the Regulation is amended by striking out "Schedule 11" in the eleventh line and substituting "schedule of laboratory benefits".

(3) Subsection 22 (6) of the Regulation is amended by striking out "Schedule 11" in the tenth line and substituting "schedule of laboratory benefits".

(4) Subsection 22 (8) of the Regulation is amended by striking out "Schedule 11" in the last line and substituting "schedule of laboratory benefits".

3. Clause 29 (1) (b) of the Regulation is amended by striking out "Schedule 11" in the last line and substituting "schedule of laboratory benefits".

4. Section 31 of the Regulation is amended by striking out "Schedule 11" in the sixth and seventh lines and substituting "schedule of laboratory benefits".

5. (1) Subsection 37.1 (3) of the Regulation is amended by striking out "Schedule 11" in the first line and substituting "schedule of laboratory benefits".

(2) Subsection 37.1 (4) of the Regulation is amended by striking out "Schedule 11" in the second line and the last line and substituting in each case "schedule of laboratory benefits".

(3) Subsection 37.1 (5) of the Regulation is amended by striking out "Schedule 11" and substituting "schedule of laboratory benefits".

(4) Subsection 37.1 (6) of the Regulation is amended by striking out "Schedule 11" in the third line and substituting "schedule of laboratory benefits".

(5) Subsection 37.1 (7) of the Regulation is amended by striking out "Schedule 11" in the third line and substituting "schedule of laboratory benefits".

6. Schedule 11 to the Regulation is revoked.

7. This Regulation comes into force on April 1, 1999.

16/99

ONTARIO REGULATION 202/99

made under the
ONTARIO PLANNING DEVELOPING ACT, 1994

Made: March 29, 1999

Filed: March 30, 1999

Amending O. Reg. 473/73
(Regional Municipality of York, Town of Markham)

Note: Ontario Regulation 473/73 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Subsection 85 (3) of Ontario Regulation 473/73 as made by Ontario Regulation 329/93 is revoked and the following substituted:

(3) Despite sections 4 and 67, a landing area for the ancillary outdoor driving range may be located and used on the land described in subsection (4).

(4) Subsection (3) applies to that parcel of land in the Town of Markham in the Regional Municipality of York, being part of Lot 7 in Concession III designated as parts 1, 2, 3, 4, 8, 9, 10 and 11 on Plan 66R-10644 deposited in the Land Registry Office for the Land Titles Division of York Region (No. 65) and the westerly half of Part 4 on Expropriation Plan No. 11165 registered as Instrument No. MA109460.

(5) This section is revoked on July 1, 2006.

BRYAN W. TUCKEY
DirectorProvincial Planning and Environmental Services Branch
Ministry of Municipal Affairs and Housing

Dated on March 29, 1999.

16/99

ONTARIO REGULATION 203/99

made under the
HIGHWAY TRAFFIC ACT

Made: March 25, 1999

Filed: March 30, 1999

Amending Reg. 619 of R.R.O. 1990
(Speed Limits)

Note: Since the end of 1997, Regulation 619 has been amended by Ontario Regulations 26/98, 27/98, 28/98, 109/98, 206/98, 207/98, 208/98, 443/98, 511/98, 512/98, 541/98, 718/98 and 2/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. (1) Paragraph 12 of Part 3 of Schedule 2 to Regulation 619 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

Kent—Twps. of Tilbury East and Raleigh

- 12.1 That part of the King's Highway known as No. 3 in the County of Kent lying between a point situate 740 metres measured easterly from its intersection with the centre line of the roadway known as Kent County Road No. 14 in the hamlet of Port Alma in the Township of Tilbury East and a point situate 160 metres measured westerly from its intersection with the roadway known as Kent County Road No. 10 (Chatham Street) in the hamlet of Cedar Springs in the Township of Raleigh.

(2) Paragraph 12 of Part 4 of Schedule 2 to the Regulation is revoked and the following substituted:

Regional Municipality of Niagara—City of Port Colborne

12. That part of the King's Highway known as No. 3 in the City of Port Colborne in The Regional Municipality of Niagara lying between a point situate at its intersection with the westerly limit of the roadway known as Snider Road and a point situate with the intersection of the westerly limit of the King's Highway known as No. 140.

TONY P. CLEMENT
Minister of Transportation

Dated on March 25, 1999.

16/99

ONTARIO REGULATION 204/99 made under the PLANNING ACT

Made: March 30, 1999
Filed: March 30, 1999

Amending O. Reg. 136/95
(Delegation of Authority of Minister to Give Consents)

Note: Since the end of 1997, Ontario Regulation 136/95 has been amended by Ontario Regulations 237/98, 336/98, 503/98 and 695/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Paragraph 17 of Schedule 2 to Ontario Regulation 136/95 is revoked.

2. This Regulation comes into force on March 31, 1999.

AL LEACH
Minister of Municipal Affairs and Housing

Dated on March 30, 1999.

16/99

ONTARIO REGULATION 205/99 made under the PLANNING ACT

Made: March 30, 1999
Filed: March 30, 1999

DELEGATION OF AUTHORITY—MUNICIPALITY OF WEST NIPISSING

1. (1) The authority of the Minister under the following provisions is delegated to the council of The Corporation of the Municipality of

West Nipissing with respect to all applications made on or after March 31, 1999 for land in that municipality:

1. Subsection 50 (18) of the Act, to give approvals.
2. Section 51 of the Act, to approve a plan of subdivision.
3. Sections 50 and 53 of the Act, to give consents.
4. Section 57 of the Act, to issue a certificate of validation.
5. Section 50 of the *Condominium Act*, to approve or exempt condominium descriptions.
6. Subsection 305 (2) of the *Municipal Act*.
7. Subsection 88 (3) of the *Registry Act*.
8. Section 146 of the *Land Titles Act*.

(2) The authority of the Minister under subsection 297 (10) of the *Municipal Act* is delegated to the council of The Corporation of the Municipality of West Nipissing with respect to all by-laws passed on or after March 31, 1999 in that municipality.

2. (1) Despite section 1, all authority of the Minister under sections 50 and 53 of the Act to give consents is delegated to the council of The Corporation of the Municipality of West Nipissing with respect to applications made before March 31, 1999 whose file numbers are set out in Schedule 1.

(2) Despite section 1, all authority of the Minister under section 51 of the Act to approve a plan of subdivision is delegated to the council of The Corporation of the Municipality of West Nipissing with respect to applications made before March 31, 1999 whose file numbers are set out in Schedule 2.

3. (1) If any authority delegated under section 1 or 2 is further delegated to a committee of the council or to an appointed officer under subsection 5 (1) of the Act, the council shall forward to the Minister a certified copy of the delegating by-law within 15 days of its passing.

(2) The delegation of authority under this Regulation is not terminated by reason only that the condition set out in subsection (1) is not complied with.

4. This Regulation comes into force on March 31, 1999.

Schedule 1

B03	B51
B09	B52
B10	B54
B13	B66
B24	B70
B33	B72
B35	B73
B36	B74
B37	B75
B40	B76
B41	B77
B49	B78
B50	B79

Schedule 2

48-T-87003	48-T-90004
48-T-88004	48-T-92001
48-T-88005	48-T-98001
	48-T-95001

AL LEACH
Minister of Municipal Affairs and Housing

Dated on March 30, 1999.

16/99

ONTARIO REGULATION 206/99
made under the
MUNICIPAL ACT

Made: March 30, 1999
Filed: March 31, 1999

Amending O. Reg. 382/98
(Payments in Lieu of Taxes, Distribution)

Note: Ontario Regulation 382/98 has previously been amended by Ontario Regulations 427/98 and 709/98.

1. Paragraph 4 of subsection 2 (4) of Ontario Regulation 382/98 is revoked and the following substituted:

4. Subsection 84 (2), (3) or (5) of the *Electricity Act, 1998*.

2. Paragraph 2 of subsection 3 (3) of the Regulation is revoked and the following substituted:

2. Subsection 84 (2) or (5) of the *Electricity Act, 1998*.

3. This Regulation comes into force on the day subsection 54 (1) of the *Electricity Act, 1998* comes into force.

ERNIE EVES
Minister of Finance

Dated on March 30, 1999.

16/99

ONTARIO REGULATION 207/99
made under the
ELECTRICITY ACT, 1998

Made: March 30, 1999
Filed: March 31, 1999

PAYMENTS IN LIEU OF CORPORATE TAXES**INTERPRETATION AND APPLICATION**

1. This Regulation applies to each corporation that is required to make a payment under section 89 or 90 of the Act.

2. In this Regulation,

"Federal Act" means the *Income Tax Act* (Canada);

"Federal Regulations" means the regulations made under the Federal Act;

"nuclear decommissioning fund" means a fund that is maintained for the sole purpose of securing the obligations of one or more persons with respect to the decommissioning of all or part of a nuclear generation facility and that is designated as a nuclear decommissioning fund by Her Majesty in right of Ontario or in right of Canada;

"spent fuel management fund" means a fund that is maintained for the sole purpose of securing the obligations of one or more persons with respect to managing nuclear waste and used fuel and that is designated as a spent fuel management fund by Her Majesty in right of Ontario or in right of Canada;

"transfer order" means an order made under section 116 of the Act.

PAYMENTS IN LIEU MADE UNDER SECTION 89 OF THE ACT

3. The method of calculating the amount of a payment required by section 89 of the Act is modified by the rules set out in sections 4, 5 and 7 to 16.

4. Sections 150 to 180 and 220 to 244 of the Federal Act do not apply.

5. (1) References in the Federal Act and in the Federal Regulations to the "Minister of National Revenue" or to the "Minister" shall be read as references to Ontario's Minister of Finance.

(2) If the Federal Act or the Federal Regulations require an election, designation or other document to be filed with the Minister of National Revenue, it must instead be filed with Ontario's Minister of Finance.

PAYMENTS IN LIEU MADE UNDER SECTION 90 OF THE ACT

6. The method of calculating the amount of a payment required by section 90 of the Act is modified by the rules set out in sections 7 to 16.

MODIFICATIONS APPLICABLE TO PAYMENTS UNDER SECTIONS 89 AND 90 OF THE ACT

7. A corporation shall be deemed to be a private corporation.

8. (1) The taxation year of a corporation is determined in accordance with this section, for the purposes of sections 89 and 90 of the Act.

(2) For the first taxation year that ends after April 1, 1999, the taxation year ends on the same day as the corporation's fiscal year.

(3) For a subsequent taxation year, the corporation may change the date on which its taxation year ends only with the consent of the Minister of Finance.

9. Property transferred under a transfer order to a corporation shall be deemed to have been acquired by the corporation at a cost equal to the fair market value of the property at the time of the transfer.

10. The undepreciated capital cost of depreciable property and the adjusted cost base of capital property owned by a corporation shall be deemed not to include an amount that is deductible in computing the income of the corporation.

11. (1) Depreciable property transferred under a transfer order by Ontario Hydro to a corporation shall be deemed to have been acquired by the corporation at the time Ontario Hydro acquired it.

(2) If a corporation owns two or more properties that are nuclear reactors and are properties described in Class 1 or Class 2 of Schedule

II to the Federal Regulations, the corporation shall be deemed to hold each of the properties in a separate class.

(3) Property described in Class 24 or Class 27 of Schedule II to the Federal Regulations that is transferred under a transfer order by Ontario Hydro to a corporation shall be deemed after the transfer to be property described in one of those classes,

- (a) if Ontario Hydro acquired the property before 1999; and
- (b) if the federal Minister of the Environment has accepted that the primary use of the property is the prevention, reduction or elimination of pollution.

12. (1) This section applies if, under the *Corporations Tax Act*, a corporation is considered to have a permanent establishment in a province of Canada other than Ontario.

(2) For the purposes of sections 39, 57.6 and 67 of the *Corporations Tax Act*, the corporation shall be deemed not to have a permanent establishment in that province if the corporation is not subject to taxation on its income under the laws of that province by reason of a tax statute of that province or a tax statute of Canada.

13. (1) This section applies to a corporation,

- (a) if the corporation owns at least 10 per cent of the fair market value of the issued and outstanding shares of another corporation (the "subject corporation") at any time during the applicable taxation year of the corporation; and
- (b) if the subject corporation meets the criteria described in subsection (2) throughout its taxation year that ends during or on the same day as the applicable taxation year of the corporation.

(2) The subject corporation must be exempt under subsection 149 (1) of the Federal Act from the payment of tax under that Act, exempt under subsection 57 (1), section 57.11 or subsection 71 (1) of the *Corporations Tax Act* from the payment of tax under that Act, and must not be required to make a payment under section 89, 90 or 93 of the *Electricity Act*, 1998.

(3) For the applicable taxation year of the corporation, the subject corporation shall be treated as if it were a partnership in which the corporation owns a partnership interest equal to the amount calculated using the formula,

$$A / B$$

where,

"A" is the fair market value of the issued and outstanding shares of the subject corporation that are owned by the corporation (determined as of the last day of the subject corporation's taxation year referred to in clause (1) (b)); and

"B" is the fair market value of all the issued and outstanding shares of the subject corporation (determined as of the same day).

14. (1) A corporation shall include the following amounts in computing its income from a business or property for a taxation year:

1. The aggregate of all amounts paid or payable during the year by a nuclear decommissioning fund or spent fuel management fund,
 - i. to the corporation in respect of its interest in the fund, or
 - ii. to another person for the benefit of the corporation in respect of the corporation's interest in the fund.
2. If the corporation disposes of all or part of its interest in a nuclear decommissioning fund or spent fuel management fund during the year, the aggregate of all amounts received by the corporation in the year as the consideration for the disposition. How-

ever, this does not include consideration that is the assumption of an obligation to decommission a nuclear facility or an obligation to manage the nuclear waste and used fuel of a nuclear facility.

(2) A corporation may deduct the following amounts in computing its income from a business or property for a taxation year:

1. The amount of the corporation's contribution in the year to a nuclear decommissioning fund or spent fuel management fund.
2. The amount of the consideration payable by the corporation in the year to acquire all or part of the corporation's interest in a nuclear decommissioning fund or spent fuel management fund. However, this does not include consideration that is the assumption of an obligation to decommission a nuclear facility or an obligation to manage the nuclear waste and used fuel of a nuclear facility.
3. Subject to subsection (3), the aggregate amount of the expenses incurred by the corporation in the year to decommission a nuclear facility or manage the nuclear waste and used fuel of a nuclear facility.

(3) Despite paragraph 3 of subsection (2), the corporation cannot deduct the amount by which "A" exceeds "B" where,

"A" is the sum of,

- (a) the aggregate amount deducted by the corporation under that paragraph for any previous taxation year, and
- (b) the amount described by that paragraph for the current taxation year; and

"B" is the aggregate amount included in the corporation's income under paragraph 1 of subsection (1) for the current taxation year and any previous taxation year.

15. (1) This section applies if a corporation has an interest in a nuclear decommissioning fund or a spent fuel management fund that ceases to be such a fund.

(2) The corporation shall be deemed to have received from the fund, immediately before it ceases to be such a fund, an amount equal to that portion of the fair market value of the property of the fund that can reasonably be considered to be the corporation's interest in the fund.

(3) The corporation shall be deemed to have acquired an interest in the fund, immediately after it ceases to be such a fund, at a cost equal to the amount calculated under subsection (2).

16. (1) This section applies if the corporation disposes of shares of a subsidiary and, as a result of the disposition, subsection 149 (10) of the Federal Act applies to the subsidiary.

(2) The amount, if any, otherwise payable by the corporation under sections 89 and 90 of the Act as a consequence of the disposition of the shares is reduced by the amount, if any, payable by the subsidiary under section 89 or 90 of the Act, determined as if the subsidiary's only income in the taxation year arose as a result of the deemed disposition of its assets under subsection 149 (10) of the Federal Act.

RETURNS AND PAYMENTS

17. (1) A corporation required to make a payment under section 89 of the Act shall deliver the return required by section 150 of the Federal Act to the Minister of Finance no later than six months after the end of the applicable taxation year.

(2) A corporation required to make a payment under section 90 of the Act shall deliver the return required by section 75 of the *Corporations Tax Act* to the Minister of Finance no later than six months after the end of the applicable taxation year.

18. (1) The following rules apply with respect to each instalment payable by the corporation under section 89 or 90 of the Act for its first taxation year ending after April 1, 1999:

1. If the corporation's first taxation year is less than 12 months long, the reference to one-twelfth in subclause 78 (2) (a) (i) of the *Corporations Tax Act* shall be read as a reference to a fraction in which the numerator is one and the denominator is the number of months in the taxation year.
2. Subclauses 78 (2) (a) (ii) and (iii) and subsections 78 (4) and (6) of the *Corporations Tax Act* do not apply.
3. Subsections 79 (1) and 83 (1) of the *Corporations Tax Act* do not apply if the corporation has made a reasonable attempt, in the opinion of the Minister of Finance, to calculate the amount of its instalments payable for the taxation year.

(2) The following rule applies with respect to each instalment payable by the corporation under section 89 or 90 of the Act for its second taxation year ending after April 1, 1999:

1. Subclause 78 (2) (a) (iii) and subsections 78 (4) and (6) of the *Corporations Tax Act* do not apply.

ERNIE EVES
Minister of Finance

Dated on March 30, 1999.

16/99

ONTARIO REGULATION 208/99 made under the MILK ACT

Made: March 18, 1999
Filed: March 31, 1999

Amending Reg. 760 of R.R.O. 1990
(Milk and Farm-Separated Cream—Plan)

Note: Regulation 760 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Section 16 of the Schedule to Regulation 760 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

16. A member of the marketing board shall take office on the day following the last day of the annual meeting of producers and shall hold office until his or her successor takes office.

2. Section 17 of the Schedule to the Regulation is amended by striking out "subsection 16 (1)" in the second line and substituting "section 16".

ONTARIO FARM PRODUCTS MARKETING COMMISSION:

D. W. TAYLOR
Chair

GLORIA MARCO BORYS
Secretary

Dated on March 11, 1999.

16/99

ONTARIO REGULATION 209/99 made under the MILK ACT

Made: March 11, 1999

Filed: March 31, 1999

BY-LAWS FOR MARKETING BOARDS

1. The head office of a marketing board shall be in such place in Ontario as the board determines by by-law.

2. (1) A marketing board shall have a corporate seal in the form of two concentric circles with the name of the board in the space between the two circles.

(2) Any use of the seal shall be attested by the chair or vice-chair and the secretary.

3. (1) A marketing board's fiscal year ends on the date established by the board.

(2) The board shall inform the Commission of its fiscal year end.

4. (1) A member of a marketing board shall take office on the day following the last day of the annual meeting of producers and shall hold office until his or her successor takes office.

(2) A board shall by by-law specify the period of time within which its first meeting is to be held after the members take office under subsection (1).

(3) At the first meeting, the board shall elect from its members a chair and a vice-chair who shall hold office until their successors are elected.

(4) The chair shall preside at all meetings of the board at which he or she is present, but if the chair is absent or otherwise unable to act, the vice-chair shall preside at the meeting and may, for that purpose, exercise the powers and perform the duties of the chair.

(5) If there is no vice-chair to assume the chair at a meeting, the board may appoint a chair from among the members present.

(6) A majority of the members of a board constitute a quorum for the transaction of business.

5. (1) A marketing board shall appoint a secretary who may also be appointed treasurer under subsection 6 (1).

(2) The secretary of the board shall,

(a) attend all its meetings and keep the minutes;

(b) conduct the board's correspondence;

(c) keep a record of the board's business transactions, its annual statements, financial and auditor's reports, the board's orders, directions and determinations, and the reports of the board's committees;

(d) have custody of the corporate seal; and

(e) perform any other duties assigned to him or her.

(3) In addition to the duties set out in subsection (2), the secretary shall maintain at the board's head office copies of all board regulations, orders and policy statements, along with an index identifying the regulations, including amendments to them, by subject-matter.

(4) The secretary shall allow any person to inspect the copies and index without charge during normal business hours and, upon request, provide copies of the regulations, orders and policy statements.

(5) Despite subsection (4), the secretary shall not allow the inspection of a copy of an order that relates to a particular person.

(6) No member of the board shall be appointed secretary.

6. (1) A marketing board shall appoint a treasurer.

(2) The treasurer of a board shall,

(a) under the direction of the board, provide for the deposit of money, the safekeeping of securities and the disbursements of the funds of the board;

(b) maintain separate accounts for the deposit of money received by the board in trust for any other person and for levies or charges imposed by the board pursuant to powers granted under the *Agricultural Products Marketing Act* (Canada);

(c) keep or have kept proper books of account, including the entry of the board's receipts and expenditures;

(d) prepare the annual financial statement of the board;

(e) prepare, upon request, reports showing the board's financial position from time to time; and

(f) perform any other duties assigned to him or her.

(3) The board shall require the treasurer to furnish a bond for the faithful discharge of his or her duties in such form and with such security as the board considers appropriate.

(4) The board may require its officers, agents and employees to furnish a bond for the faithful discharge of their duties in such form and with such security as the board considers appropriate.

(5) The board shall pay the cost of such a bond.

(6) No member of the board shall be appointed treasurer.

7. (1) A marketing board may appoint such officers and employees as it considers necessary.

(2) No board member shall, subject to subsection 4 (3), be appointed as an officer, and no board member shall be an employee of the board.

(3) If a person is appointed to assist an officer, the assistant may exercise the powers and carry out the duties of the officer except as limited by the board.

(4) The board may add to or limit the powers and duties of an officer or the officer's assistant.

8. (1) The chair, vice-chair or two members of a marketing board may call a meeting of the board at any time.

(2) Notice of the meeting shall be given by the secretary when directed or authorized to do so by the chair, vice-chair or other two members.

(3) Meetings are held at the board's head office unless the notice indicates otherwise.

(4) If the notice of meeting has so indicated, a meeting may be conducted by any means, including conference telephone call and video-conference, that permits the simultaneous participation of the members.

(5) The notice may be given orally, by mail or by electronic transmission and shall indicate the date and time of the meeting.

(6) If mail or electronic transmission is used, the notice is sufficiently given if it is sent to the last address of the members listed in the board records.

(7) Notice of the meeting shall be given at least the number of days in advance as are specified in the by-laws.

(8) If all of the members who have the right to receive notice of the meeting waive that right, whether the waiver takes place before or after the meeting is held, the meeting is validly constituted.

9. All questions arising at a meeting of a marketing board shall be decided by the majority of the votes of the members present and, in the event of a tie vote, the chair has the deciding vote.

10. (1) A marketing board may transact business other than at a meeting under section 8 if the chair is of the opinion that the business to be transacted must be transacted before a meeting can be held.

(2) Where a matter is to be transacted without a meeting, the chair shall inform the secretary of the matter.

(3) The chair or the secretary shall submit the matter for decision to at least two-thirds of the members of the board orally, by mail or by electronic transmission.

(4) The secretary shall enter the matter to be decided and the decision made in the minutes.

(5) A matter is decided under this section by a majority of the votes of the members participating.

(6) At the next board meeting, the secretary shall present the minutes respecting the matter, orally or in writing, so that the decision made under this section may be confirmed.

11. The minutes of a meeting of a marketing board shall be signed by the person who chaired the meeting and the secretary.

12. (1) A by-law passed for any of the following shall state the uses to which the money, credit, debt or liability are to be put:

1. Borrowing money on the board's credit.

2. Issuing, selling or pledging board securities.

3. Charging, mortgaging, hypothecating or pledging all or any of the real or personal property of the board, including book debts, unpaid calls, rights, powers, franchises and undertakings.

4. Negotiating for any securities or money borrowed or other debt, obligation or liability of the board.

(2) A by-law mentioned in subsection (1) has no effect unless,

(a) it is passed at a meeting of the members of the board called for the purpose of considering it; and

(b) at least two-thirds of the members present at the meeting vote in favour of the by-law.

13. (1) No marketing board shall invest any of its surplus funds except in the following:

1. The classes of securities in which a trustee may invest money under section 26 of the *Trustee Act* other than first mortgages, charges or hypothecs on real property situated in Canada.

2. Investment certificates of a bank listed in Schedule 1 or 2 to the *Bank Act* (Canada).

3. Paid up shares of the Ontario Co-operative Credit Society or of a credit union or caisse populaire to which the *Credit Unions and Caisses Populaires Act, 1994* applies.

(2) Subsection (1) does not restrict the power of the treasurer to act as provided by clauses 6 (2) (a) and (b).

14. (1) Each year, within three months after the end of its fiscal year, a marketing board shall have its accounts audited by one or more auditors.

(2) The auditor shall report to the board on the accounts that have been examined and on every balance sheet put before the board at a general meeting.

(3) The report shall state whether, in the auditor's opinion, the balance sheets referred to in the report show a true and accurate picture of the state of the board's affairs as indicated in the books and the treasurer's statement.

(4) The secretary shall file the auditor's report with the rest of the board records.

15. (1) Within four months after the end of its fiscal year, a marketing board shall provide to the producers entitled to vote under the plan a copy of the annual statement and auditor's report and a general report of the board's operations for the fiscal year.

(2) If the board publishes, within the required period, the information set out in subsection (1) in one issue of at least one edition of a newspaper or magazine having general circulation among producers, it shall be deemed to be in compliance with the requirements of that subsection.

16. (1) A marketing board shall hold an annual meeting of the producers under the plan each year at such time and place as the board determines.

(2) The auditor's report shall be presented at the meeting and the name of the auditor retained to prepare the report for the next succeeding year shall be announced.

17. (1) If at least 10 per cent of the producers under the plan request the holding of a special meeting of producers for the purpose of discussing matters relating to the operation of the plan or of a marketing board, the board shall hold such a meeting within 30 days after receiving the request.

(2) The request shall specify the matters to be discussed at the meeting.

18. (1) A general or special meeting may be called by giving notice to each producer or delegate entitled to attend in any manner, including publication in at least one newspaper or magazine having general circulation among the producers.

(2) Notice of the meeting shall be given, by newspaper publication or otherwise, at least two weeks before the date of the meeting.

19. (1) Every member or officer of a marketing board and his or her heirs, executors or administrators, and estate and effects respectively shall be indemnified out of the money of the board from and against any action, suit or proceeding that is brought, commenced or prosecuted against the member or officer in respect of any matter to which subsection 6 (6) of the Act applies.

(2) Where any member or officer of the board or his or her heirs, executors or administrators or estate and effects receives any money from any person on account of any matter with respect to which the member or officer has already received money from the board under subsection 6 (6) of the Act, the member or officer shall forthwith pay to the board the amount of money that he or she received respecting that matter from the board or from the other person, whichever is the lesser amount.

20. Regulation 745 of the Revised Regulations of Ontario, 1990 is revoked.

ONTARIO FARM PRODUCTS MARKETING COMMISSION:

D. W. TAYLOR
Chair

GLORIA MARCO BORYS
Secretary

Dated on March 11, 1999.

16/99

ONTARIO REGULATION 210/99
made under the
EDUCATION ACT

Made: March 24, 1999
Filed: March 31, 1999

Amending O. Reg. 285/98
(Legislative Grants for the Period January 1, 1998 to
August 31, 1998)

Note: Ontario Regulation 285/98 has previously been amended by Ontario Regulations 358/98 and 467/98.

1. Section 17 of Ontario Regulation 285/98 is revoked and the following substituted:

SHORT YEAR TAX REVENUE OF A DISTRICT SCHOOL BOARD

17. (1) For the purposes of paragraph 2 of section 10, the short year tax revenue of a district school board shall be determined as follows:

1. Add,

RÈGLEMENT DE L'ONTARIO 210/99
pris en application de la
LOI SUR L'ÉDUCATION

pris le 24 mars 1999
déposé le 31 mars 1999

modifiant le Règl. de l'Ont. 285/98
(Subventions générales visant la période allant du
1^{er} janvier 1998 au 31 août 1998)

Remarque : Le Règlement de l'Ontario 285/98 a été modifié antérieurement par les Règlements de l'Ontario 358/98 et 467/98.

1. L'article 17 du Règlement de l'Ontario 285/98 est abrogé et remplacé par ce qui suit :

**RECETTES FISCALES DE L'ANNÉE ABRÉGÉE DES
CONSEILS SCOLAIRES DE DISTRICT**

17. (1) Pour l'application de la disposition 2 de l'article 10, les recettes fiscales de l'année abrégée d'un conseil scolaire de district sont calculées de la manière suivante :

1. Additionner ce qui suit :

- i. the total of the amounts distributed to the board in respect of the 1998 calendar year under subsections 237 (12) and 238 (2), section 239, subsection 240 (5), sections 250 and 251 and subsections 257.8 (2) and 257.9 (1) of the Act, under sections 447.20 and 447.52 of the *Municipal Act* and under section 10 of Ontario Regulation 509/98,
- ii. the amounts, if any, received by the board in respect of the 1998 calendar year from a municipality under subsection 445 (4) of the *Municipal Act*,
- iii. the total of the payments in lieu of taxes distributed to the board in respect of the 1998 calendar year under subsection 371.1 (1) of the *Municipal Act*,
- iv. the total of the amounts, if any, received by the board in respect of the 1998 calendar year under the *Municipal Grants Act* (Canada) or under any Act of Canada that permits a payment to be made by a government or a government agency in lieu of taxes on real property, and
- v. the amounts, if any, shared with the board in respect of the 1998 calendar year under subsection 442.1 (11.3) of the *Municipal Act*.

2. Multiply by 0.62.

3. Add,

- i. the total of the amounts, if any, distributed to the board in the short year under subsection 2 (2) of Ontario Regulation 365/98, and
- ii. the total of the amounts, if any, paid to the board in the short year under clause 3 (1) (a) of Ontario Regulation 366/98.

4. Deduct the cost incurred in the short year by the board under section 257.7 of the Act in collecting taxes for school purposes in territory without municipal organization, to a maximum of 2 per cent of 62 per cent of the total amount of taxes levied by it for 1998 for school purposes in territory without municipal organization.

5. Deduct the total of the amounts paid as rebates by the board under section 257.2.1 of the Act in the short year.

6. Deduct 62 per cent of the total of the amounts, if any, paid by the board in respect of the 1998 calendar year under subsections 442.1 (7) and 442.2 (8.1) of the *Municipal Act*.

(2) Amounts paid by the Minister to the board in respect of the 1998 calendar year under section 257.11 of the Act shall be deemed to be amounts distributed to the board in respect of the 1998 calendar year under a provision of the Act referred to in subparagraph i of paragraph 1 of subsection (1).

2. Section 25 of the Regulation is revoked and the following substituted:

GRANTS TO ISOLATE BOARDS

25. (1) For the purposes of this section, the approved expenditure of an isolate board is the expenditure that is acceptable to the Minister as shown on the board's actual grant calculation form for the short year.

(2) For the purposes of this section, the short year tax revenue of an isolate board shall be determined as follows:

1. Add,

- i. le total des sommes remises au conseil à l'égard de l'année civile 1998 aux termes des paragraphes 237 (12) et 238 (2), de l'article 239, du paragraphe 240 (5), des articles 250 et 251 et des paragraphes 257.8 (2) et 257.9 (1) de la Loi, des articles 447.20 et 447.52 de la *Loi sur les municipalités* et de l'article 10 du Règlement de l'Ontario 509/98,
- ii. les sommes éventuelles que le conseil reçoit à l'égard de l'année civile 1998 d'une municipalité aux termes du paragraphe 445 (4) de la *Loi sur les municipalités*,
- iii. le total des paiements tenant lieu d'impôts remis au conseil à l'égard de l'année civile 1998 en vertu du paragraphe 371.1 (1) de la *Loi sur les municipalités*,
- iv. le total des sommes éventuelles que le conseil reçoit à l'égard de l'année civile 1998 en vertu de la *Loi sur les subventions aux municipalités* (Canada) ou en vertu de toute loi du Canada qui autorise un gouvernement ou un organisme gouvernemental à effectuer un paiement tenant lieu d'impôts sur des biens immeubles,
- v. les sommes éventuelles partagées avec le conseil à l'égard de l'année civile 1998 aux termes du paragraphe 442.1 (11.3) de la *Loi sur les municipalités*.

2. Multiplier par 0,62.

3. Additionner ce qui suit :

- i. le total des sommes éventuelles remises au conseil pendant l'année abrégée aux termes du paragraphe 2 (2) du Règlement de l'Ontario 365/98,
- ii. le total des sommes éventuelles versées au conseil pendant l'année abrégée aux termes de l'alinéa 3 (1) a) du Règlement de l'Ontario 366/98.

4. Déduire les frais de perception des impôts scolaires dans un territoire non érigé en municipalité qu'a engagés le conseil pendant l'année abrégée aux termes de l'article 257.7 de la Loi, jusqu'à concurrence de 2 pour cent de 62 pour cent du total des impôts scolaires qu'il a prélevés pour 1998 dans un tel territoire.

5. Déduire le total des remises que le conseil accorde aux termes de l'article 257.2.1 de la Loi pendant l'année abrégée.

6. Déduire 62 pour cent du total des sommes éventuelles versées par le conseil à l'égard de l'année civile 1998 aux termes des paragraphes 442.1 (7) et 442.2 (8.1) de la *Loi sur les municipalités*.

(2) Les sommes que le ministre verse au conseil à l'égard de l'année civile 1998 aux termes de l'article 257.11 de la Loi sont réputées des sommes remises au conseil à l'égard de l'année civile 1998 aux termes d'une disposition de la Loi visée à la sous-disposition i de la disposition 1 du paragraphe (1).

2. L'article 25 du Règlement est abrogé et remplacé par ce qui suit :

SUBVENTIONS EN FAVEUR DES CONSEILS ISOLÉS

25. (1) Pour l'application du présent article, constituent des dépenses approuvées d'un conseil isolé les dépenses que le ministre juge acceptables selon la formule de calcul des subventions réelles de l'année abrégée du conseil.

(2) Pour l'application du présent article, les recettes fiscales de l'année abrégée d'un conseil isolé sont calculées de la manière suivante :

1. Additionner ce qui suit :

- i. the total of the amounts distributed to the board in respect of the 1998 calendar year under subsections 237 (12) and 238 (2), section 239, subsection 240 (5), sections 250 and 251 and subsections 257.8 (2) and 257.9 (1) of the Act, under sections 447.20 and 447.52 of the *Municipal Act* and under section 10 of Ontario Regulation 509/98,
 - ii. the amounts, if any, received by the board in respect of the 1998 calendar year from a municipality under subsection 445 (4) of the *Municipal Act*,
 - iii. the total of the payments in lieu of taxes distributed to the board in respect of the 1998 calendar year under subsection 371.1 (1) of the *Municipal Act*,
 - iv. the total of the amounts, if any, received by the board in respect of the 1998 calendar year under the *Municipal Grants Act* (Canada) or under any Act of Canada that permits a payment to be made by a government or a government agency in lieu of taxes on real property, and
 - v. the amounts, if any, shared with the board in respect of the 1998 calendar year under subsection 442.1 (11.3) of the *Municipal Act*.
2. Multiply by 0.62.
3. Add,
- i. the total of the amounts, if any, distributed to the board in the short year under subsection 2 (3) of Ontario Regulation 365/98, and
 - ii. the total of the amounts, if any, paid to the board in the short year under clause 3 (1) (a) of Ontario Regulation 366/98.
4. Deduct the cost incurred in the short year by the board under section 257.7 of the Act in collecting taxes for school purposes in territory without municipal organization, to a maximum of 2 per cent of 62 per cent of the total amount of taxes levied by it for 1998 for school purposes in territory without municipal organization.
5. Deduct the total of the amounts paid as rebates by the board under section 257.2.1 of the Act in the short year.
6. Deduct 62 per cent of the total of the amounts, if any, paid by the board in respect of the 1998 calendar year under subsections 442.1 (7) and 442.2 (8.1) of the *Municipal Act*.
- (3) Amounts paid by the Minister to the isolate board in respect of the 1998 calendar year under section 257.11 of the Act shall be deemed to be amounts distributed to the board in respect of the 1998 calendar year under a provision of the Act referred to in subparagraph i of paragraph 1 of subsection (2).
- (4) Paragraph 4 of subsection (2) shall not be interpreted to preclude including in the isolate board's approved expenditure an amount on account of the costs incurred by the board in collecting taxes in territory without municipal organization, where those costs exceed the amount deducted under paragraph 4 of subsection (2).
- (5) Where the approved expenditure of an isolate board exceeds its short year tax revenue, the board shall be paid a grant equal to the excess.
- i. le total des sommes remises au conseil à l'égard de l'année civile 1998 aux termes des paragraphes 237 (12) et 238 (2), de l'article 239, du paragraphe 240 (5), des articles 250 et 251 et des paragraphes 257.8 (2) et 257.9 (1) de la Loi, des articles 447.20 et 447.52 de la *Loi sur les municipalités* et de l'article 10 du Règlement de l'Ontario 509/98,
 - ii. les sommes éventuelles que le conseil reçoit à l'égard de l'année civile 1998 d'une municipalité aux termes du paragraphe 445 (4) de la *Loi sur les municipalités*,
 - iii. le total des paiements tenant lieu d'impôts remis au conseil à l'égard de l'année civile 1998 en vertu du paragraphe 371.1 (1) de la *Loi sur les municipalités*,
 - iv. le total des sommes éventuelles que le conseil reçoit à l'égard de l'année civile 1998 en vertu de la *Loi sur les subventions aux municipalités* (Canada) ou en vertu de toute loi du Canada qui autorise un gouvernement ou un organisme, gouvernemental à effectuer un paiement tenant lieu d'impôts sur des biens immeubles,
 - v. les sommes éventuelles partagées avec le conseil à l'égard de l'année civile 1998 aux termes du paragraphe 442.1 (11.3) de la *Loi sur les municipalités*.
2. Multiplier par 0,62.
3. Additionner ce qui suit :
- i. le total des sommes éventuelles remises au conseil pendant l'année abrégée aux termes du paragraphe 2 (3) du Règlement de l'Ontario 365/98,
 - ii. le total des sommes éventuelles versées au conseil pendant l'année abrégée aux termes de l'alinéa 3 (1) a) du Règlement de l'Ontario 366/98.
4. Déduire les frais de perception des impôts scolaires dans un territoire non érigé en municipalité qu'a engagés le conseil pendant l'année abrégée aux termes de l'article 257.7 de la Loi, jusqu'à concurrence de 2 pour cent de 62 pour cent du total des impôts scolaires qu'il a prélevés pour 1998 dans un tel territoire.
5. Déduire le total des remises que le conseil accorde aux termes de l'article 257.2.1 de la Loi pendant l'année abrégée.
6. Déduire 62 pour cent du total des sommes éventuelles versées par le conseil à l'égard de l'année civile 1998 aux termes des paragraphes 442.1 (7) et 442.2 (8.1) de la *Loi sur les municipalités*.
- (3) Les sommes que le ministre verse au conseil isolé à l'égard de l'année civile 1998 aux termes de l'article 257.11 de la Loi sont réputées des sommes remises au conseil à l'égard de l'année civile 1998 aux termes d'une disposition de la Loi visée à la sous-disposition i de la disposition 1 du paragraphe (2).
- (4) La disposition 4 du paragraphe (2) ne doit pas être interprétée de façon à empêcher l'inclusion, dans les dépenses approuvées du conseil isolé, des frais de perception des impôts dans un territoire non érigé en municipalité qu'il a engagés, si ces frais sont supérieurs à la somme déduite aux termes de cette disposition.
- (5) Le conseil isolé dont les dépenses approuvées sont supérieures à ses recettes fiscales de l'année abrégée reçoit une subvention égale à cet excédent.

ONTARIO REGULATION 211/99made under the
EDUCATION ACTMade: March 24, 1999
Filed: March 31, 1999Amending O. Reg. 286/98
(Calculation of Average Daily Enrolment for the
1998-99 Fiscal Year)Note: Ontario Regulation 286/98 has previously been amended by
Ontario Regulation 468/98.

1. Clause (b) of the definition of "summer school class or course" in subsection 4 (1) of Ontario Regulation 286/98 is amended by striking out "or" at the end of subclause (i), by adding "or" at the end of subclause (ii) and by adding the following subclause:

- (iii) is for pupils who have completed grade 8 in the 1998-99 school year and for whom a remedial program has been recommended by the principal of the school at which the pupil completed grade 8.

16/99

ONTARIO REGULATION 212/99made under the
EDUCATION ACTMade: March 24, 1999
Filed: March 31, 1999Amending O. Reg. 287/98
(Student Focused Funding—Legislative Grants for the
School Board 1998-99 Fiscal Year)Note: Ontario Regulation 287/98 has previously been amended by
Ontario Regulations 469/98, 537/98, 560/98 and 651/98.

1. Subsection 10 (1) of Ontario Regulation 287/98 is amended by adding the following paragraph:

- 6.1 Summer school remedial allocation.

2. Section 12 of the Regulation is revoked and the following substituted:

1998-99 TAX REVENUE OF A DISTRICT SCHOOL BOARD

12. (1) For the purposes of paragraph 1 of section 11, the 1998-99 tax revenue of a district school board shall be determined as follows:

1. Add,

- i. 38 per cent of the total of the amounts distributed to the board in respect of the 1998 calendar year under subsections 237 (12) and 238 (2), section 239, subsection 240 (5), sections 250 and 251 and subsections 257.8 (2) and 257.9 (1) of the Act, under sections 447.20 and 447.52 of the *Municipal Act* and under section 10 of Ontario Regulation 509/98,
- ii. 62 per cent of the total of the amounts distributed to the board in respect of the 1999 calendar year under subsections 237 (12) and 238 (2), section 239, subsection 240 (5), sections 250 and 251 and subsections 257.8 (2) and 257.9 (1) of the Act, under sections 447.20 and 447.52 of the *Municipal Act* and under section 10 of Ontario Regulation 509/98,

RÈGLEMENT DE L'ONTARIO 211/99pris en application de la
LOI SUR L'ÉDUCATIONpris le 24 mars 1999
déposé le 31 mars 1999modifiant le Règl. de l'Ont. 286/98
(Calcul de l'effectif quotidien moyen pour
l'exercice 1998-1999)

Remarque : Le Règlement de l'Ontario 286/98 a été modifié antérieurement par le Règlement de l'Ontario 468/98.

1. L'alinéa b) de la définition de «classe ou cours d'été» au paragraphe 4 (1) du Règlement de l'Ontario 286/98 est modifié par adjonction du sous-alinéa suivant :

- (iii) destiné aux élèves qui ont terminé la huitième année pendant l'année scolaire 1998-1999 et pour lesquels un programme de rattrapage a été recommandé par le directeur de l'école où l'élève a terminé cette année.

RÈGLEMENT DE L'ONTARIO 212/99pris en application de la
LOI SUR L'ÉDUCATIONpris le 24 mars 1999
déposé le 31 mars 1999modifiant le Règl. de l'Ont. 287/98
(Financement axé sur les besoins des élèves — subventions générales
pour l'exercice 1998-1999 du conseil scolaire)

Remarque : Le Règlement de l'Ontario 287/98 a été modifié antérieurement par les Règlements de l'Ontario 469/98, 537/98, 560/98 et 651/98.

1. Le paragraphe 10 (1) du Règlement de l'Ontario 287/98 est modifié par adjonction de la disposition suivante :

- 6.1 Cours d'été de rattrapage.

2. L'article 12 du Règlement est abrogé et remplacé par ce qui suit :

**RECETTES FISCALES DE 1998-1999 DES CONSEILS
SCOLAIRES DE DISTRICT**

12. (1) Pour l'application de la disposition 1 de l'article 11, les recettes fiscales de 1998-1999 d'un conseil scolaire de district sont calculées de la manière suivante :

1. Additionner ce qui suit :

- i. 38 pour cent du total des sommes remises au conseil à l'égard de l'année civile 1998 aux termes des paragraphes 237 (12) et 238 (2), de l'article 239, du paragraphe 240 (5), des articles 250 et 251 et des paragraphes 257.8 (2) et 257.9 (1) de la Loi, des articles 447.20 et 447.52 de la *Loi sur les municipalités* et de l'article 10 du Règlement de l'Ontario 509/98,
- ii. 62 pour cent du total des sommes remises au conseil à l'égard de l'année civile 1999 aux termes des paragraphes 237 (12) et 238 (2), de l'article 239, du paragraphe 240 (5), des articles 250 et 251 et des paragraphes 257.8 (2) et 257.9 (1) de la Loi, des articles 447.20 et 447.52 de la *Loi sur les municipalités* et de l'article 10 du Règlement de l'Ontario 509/98,

- iii. 38 per cent of the amounts, if any, received by the board in respect of the 1998 calendar year from a municipality under subsection 445 (4) of the *Municipal Act*,
 - iv. 62 per cent of the amounts, if any, received by the board in respect of the 1999 calendar year from a municipality under subsection 445 (4) of the *Municipal Act*,
 - v. the total of the taxes received by the board in respect of the 1998 calendar year under section 35 of the *Assessment Act*,
 - vi. 38 per cent of the payments in lieu of taxes distributed to the board in respect of the 1998 calendar year under subsection 371.1 (1) of the *Municipal Act*,
 - vii. 62 per cent of the payments in lieu of taxes distributed to the board in respect of the 1999 calendar year under subsection 371.1 (1) of the *Municipal Act*,
 - viii. 38 per cent of the amounts, if any, received by the board in respect of the 1998 calendar year under the *Municipal Grants Act* (Canada) or under any Act of Canada that permits a payment to be made by a government or a government agency in lieu of taxes on real property,
 - ix. 62 per cent of the amounts, if any, received by the board in respect of the 1999 calendar year under the *Municipal Grants Act* (Canada) or under any Act of Canada that permits a payment to be made by a government or a government agency in lieu of taxes on real property,
 - x. 38 per cent of the amounts, if any, shared with the board in respect of the 1998 calendar year under subsection 442.1 (11.3) of the *Municipal Act*,
 - xi. the total of the amounts, if any, distributed to the board in the 1998-99 fiscal year under subsection 2 (2) of Ontario Regulation 365/98, and
 - xii. the total of the amounts, if any, paid to the board in the 1998-99 fiscal year under clause 3 (1) (a) of Ontario Regulation 366/98.
2. Deduct the cost incurred in the 1998-99 fiscal year by the board under section 257.7 of the Act in collecting taxes for school purposes in territory without municipal organization, to a maximum of 2 per cent of the sum of,
- i. 38 per cent of the total amount of taxes levied by it for 1998 for school purposes in territory without municipal organization, and
 - ii. 62 per cent of the total amount of taxes levied by it for 1999 for school purposes in territory without municipal organization.
- 2.1 Deduct an amount approved by the Minister in respect of,
- i. costs additional to those deducted under paragraph 2 that are incurred in the 1998-99 fiscal year by the board under section 257.7 of the Act in collecting taxes for school purposes in territory without municipal organization, and
 - ii. costs that are incurred in the 1998-99 fiscal year by the board under section 21.1 of the *Provincial Land Tax Act* in collecting taxes in territory without municipal organization.
- iii. 38 pour cent des sommes éventuelles que le conseil reçoit à l'égard de l'année civile 1998 d'une municipalité aux termes du paragraphe 445 (4) de la *Loi sur les municipalités*,
 - iv. 62 pour cent des sommes éventuelles que le conseil reçoit à l'égard de l'année civile 1999 d'une municipalité aux termes du paragraphe 445 (4) de la *Loi sur les municipalités*,
 - v. le total des impôts que le conseil reçoit à l'égard de l'année civile 1998 aux termes de l'article 35 de la *Loi sur l'évaluation foncière*,
 - vi. 38 pour cent des paiements tenant lieu d'impôts remis au conseil à l'égard de l'année civile 1998 en vertu du paragraphe 371.1 (1) de la *Loi sur les municipalités*,
 - vii. 62 pour cent des paiements tenant lieu d'impôts remis au conseil à l'égard de l'année civile 1999 en vertu du paragraphe 371.1 (1) de la *Loi sur les municipalités*,
 - viii. 38 pour cent des sommes éventuelles que le conseil reçoit à l'égard de l'année civile 1998 en vertu de la *Loi sur les subventions aux municipalités* (Canada) ou en vertu de toute loi du Canada qui autorise un gouvernement ou un organisme gouvernemental à effectuer un paiement tenant lieu d'impôts sur des biens immeubles,
 - ix. 62 pour cent des sommes éventuelles que le conseil reçoit à l'égard de l'année civile 1999 en vertu de la *Loi sur les subventions aux municipalités* (Canada) ou en vertu de toute loi du Canada qui autorise un gouvernement ou un organisme gouvernemental à effectuer un paiement tenant lieu d'impôts sur des biens immeubles,
 - x. 38 pour cent des sommes éventuelles partagées avec le conseil à l'égard de l'année civile 1998 aux termes du paragraphe 442.1 (11.3) de la *Loi sur les municipalités*,
 - xi. le total des sommes éventuelles remises au conseil pendant l'exercice 1998-1999 aux termes du paragraphe 2 (2) du Règlement de l'Ontario 365/98,
 - xii. le total des sommes éventuelles versées au conseil pendant l'exercice 1998-1999 aux termes de l'alinéa 3 (1) a) du Règlement de l'Ontario 366/98.
2. Déduire les frais de perception des impôts scolaires dans un territoire non érigé en municipalité qu'a engagés le conseil pendant l'exercice 1998-1999 aux termes de l'article 257.7 de la Loi, jusqu'à concurrence de 2 pour cent de la somme de ce qui suit :
- i. 38 pour cent du total des impôts scolaires qu'il a prélevés pour 1998 dans un tel territoire,
 - ii. 62 pour cent du total des impôts scolaires qu'il a prélevés pour 1999 dans un tel territoire.
- 2.1 Déduire la somme que le ministre approuve à l'égard de ce qui suit :
- i. les frais qui s'ajoutent aux frais de perception des impôts scolaires dans un territoire non érigé en municipalité, déduits aux termes de la disposition 2, qu'a engagés le conseil pendant l'exercice 1998-1999 aux termes de l'article 257.7 de la Loi,
 - ii. les frais de perception des impôts dans un territoire non érigé en municipalité qu'a engagés le conseil pendant l'exercice 1998-1999 aux termes de l'article 21.1 de la *Loi sur l'impôt foncier provincial*.

2.2 Deduct an amount approved by the Minister in respect of financing costs that are incurred by the board as a result of the delayed levy of 1998 taxes for school purposes in territory without municipal organization.

3. Deduct the amounts charged to the board in the 1998 calendar year by a municipal council under section 421 of the *Municipal Act*, including amounts charged under that section as a result of private legislation.

4. Deduct the total of the amounts paid as rebates by the board under section 257.2.1 of the Act in the 1998-99 fiscal year.

5. Deduct 38 per cent of the total of the amounts, if any, paid by the board in respect of the 1998 calendar year under subsections 442.1 (7) and 442.2 (8.1) of the *Municipal Act*.

6. Deduct 62 per cent of the total of the amounts, if any, paid by the board in respect of the 1999 calendar year under subsections 442.1 (7) and 442.2 (8.1) of the *Municipal Act*.

(2) Amounts paid by the Minister to the board in respect of the 1998 calendar year under section 257.11 of the Act shall be deemed to be amounts distributed to the board in respect of the 1998 calendar year under a provision of the Act referred to in subparagraph i of paragraph 1 of subsection (1).

(3) Amounts, if any, paid by the Minister to the board in respect of the 1999 calendar year under section 257.11 of the Act shall be deemed to be amounts distributed to the board in respect of the 1999 calendar year under a provision of the Act referred to in subparagraph ii of paragraph 1 of subsection (1).

3. The Regulation is amended by adding the following section:

SUMMER SCHOOL REMEDIAL ALLOCATION

31.1 (1) For the purposes of paragraph 2 of section 11, the amount of the summer school remedial allocation for a district school board shall be determined as follows:

1. Determine the summer school average daily enrolment for the board for the 1998-99 fiscal year in accordance with section 4 of the 1998-99 A.D.E. regulation, counting only pupils of the board enrolled in classes or courses described in subclause (b) (iii) of the definition of "summer school class or course" in subsection 4 (1) of that regulation.

2. Multiply the number determined under paragraph 1 by \$2,257.

3. Add the amount determined for the board under subsection (2) on account of transportation costs related to summer school remedial instruction.

(2) For the purposes of paragraph 3 of subsection (2), an amount on account of transportation costs related to summer school remedial instruction shall be determined for the board as follows:

1. Take the amount of the transportation allocation determined for the board under section 35.

2. Divide the amount taken under paragraph 1 by the 1998-99 day school average daily enrolment of pupils of the board.

3. Multiply the result obtained under paragraph 2 by the enrolment amount determined under paragraph 1 of subsection (1).

4. Paragraph 3 of subsection 32 (1) of the Regulation is revoked and the following substituted:

2.2 Déduire la somme que le ministre approuve à l'égard des frais de financement qu'engage le conseil en raison du prélèvement différé des impôts scolaires de 1998 dans un territoire non érigé en municipalité.

3. Déduire les sommes qu'un conseil municipal a exigées du conseil pendant l'année civile 1998 aux termes de l'article 421 de la *Loi sur les municipalités*, y compris les sommes exigées aux termes de cet article par suite d'une loi d'intérêt privé.

4. Déduire le total des remises que le conseil accorde aux termes de l'article 257.2.1 de la *Loi* pendant l'exercice 1998-1999.

5. Déduire 38 pour cent du total des sommes éventuelles que le conseil verse à l'égard de l'année civile 1998 aux termes des paragraphes 442.1 (7) et 442.2 (8.1) de la *Loi sur les municipalités*.

6. Déduire 62 pour cent du total des sommes éventuelles que le conseil verse à l'égard de l'année civile 1999 aux termes des paragraphes 442.1 (7) et 442.2 (8.1) de la *Loi sur les municipalités*.

(2) Les sommes que le ministre verse au conseil à l'égard de l'année civile 1998 aux termes de l'article 257.11 de la *Loi* sont réputées des sommes remises au conseil à l'égard de l'année civile 1998 aux termes d'une disposition de la *Loi* visée à la sous-disposition i de la disposition 1 du paragraphe (1).

(3) Les sommes éventuelles que le ministre verse au conseil à l'égard de l'année civile 1999 aux termes de l'article 257.11 de la *Loi* sont réputées des sommes remises au conseil à l'égard de l'année civile 1999 aux termes d'une disposition de la *Loi* visée à la sous-disposition ii de la disposition 1 du paragraphe (1).

3. Le Règlement est modifié par adjonction de l'article suivant :

ÉLÉMENT COURS D'ÉTÉ DE RATTRAPAGE

31.1 (1) Pour l'application de la disposition 2 de l'article 11, l'élément cours d'été de rattrapage d'un conseil scolaire de district est calculé de la manière suivante :

1. Calculer l'effectif quotidien moyen des cours d'été du conseil pour l'exercice 1998-1999 conformément à l'article 4 du règlement sur l'effectif quotidien moyen de 1998-1999, en ne comptant que les élèves du conseil qui sont inscrits à des classes ou à des cours visés au sous-alinéa b) (iii) de la définition de «classe ou cours d'été» au paragraphe 4 (1) de ce règlement.

2. Multiplier le nombre calculé aux termes de la disposition 1 par 2 257 \$.

3. Ajouter la somme calculée pour le conseil aux termes du paragraphe (2) au titre des frais de transport liés aux cours d'été de rattrapage.

(2) Pour l'application de la disposition 3 du paragraphe (2), une somme au titre des frais de transport liés aux cours d'été de rattrapage est calculée pour le conseil de la manière suivante :

1. Prendre l'élément transport des élèves calculé pour le conseil aux termes de l'article 35.

2. Diviser la somme prise aux termes de la disposition 1 par l'effectif quotidien moyen de jour des élèves du conseil pour 1998-1999.

3. Multiplier le résultat obtenu aux termes de la disposition 2 par l'effectif calculé aux termes de la disposition 1 du paragraphe (1).

4. La disposition 3 du paragraphe 32 (1) du Règlement est abrogée et remplacée par ce qui suit :

3. Determine the summer school average daily enrolment for the board for the 1998-99 fiscal year in accordance with section 4 of the 1998-99 A.D.E. regulation, counting only pupils enrolled in classes or courses described in subclause (b) (i) or (ii) of the definition of "summer school class or course" in subsection 4 (1) of that regulation.

5. Section 42 of the Regulation is amended by adding the following paragraph:

- 5.1 Deduct the amount of the summer school remedial allocation determined for the board under section 31.1.

6. Subsection 53 (2) of the Regulation is revoked and the following substituted:

(2) Where a board's expenditure in the 1998-99 fiscal year on the acquisition of capital assets is less than the total amount referred to in subsection (1), the board shall place the difference in the board's pupil accommodation allocation reserve fund.

7. Section 55 of the Regulation is revoked and the following substituted:

GRANTS TO ISOLATE BOARDS

55. (1) For the purposes of this section, the approved expenditure of an isolate board is the expenditure that is acceptable to the Minister as shown on the forms provided by the Ministry to the isolate board for the purpose of calculating its 1998-99 legislative grant.

(2) In making determinations for the purposes of subsection (1), the Minister shall apply the funding formula on which the provisions of this Regulation relating to grants to district school boards is based, with such adaptations as the Minister considers advisable to take account of characteristics particular to school authorities.

(3) For the purposes of this section, the 1998-99 tax revenue of an isolate board shall be determined as follows:

I. Add,

- i. 38 per cent of the total of the amounts distributed to the board in respect of the 1998 calendar year under subsections 237 (12) and 238 (2), section 239, subsection 240 (5), sections 250 and 251 and subsections 257.8 (2) and 257.9 (1) of the Act, under sections 447.20 and 447.52 of the *Municipal Act* and under section 10 of Ontario Regulation 509/98,
- ii. 62 per cent of the total of the amounts distributed to the board in respect of the 1999 calendar year under subsections 237 (12) and 238 (2), section 239, subsection 240 (5), sections 250 and 251 and subsections 257.8 (2) and 257.9 (1) of the Act, under sections 447.20 and 447.52 of the *Municipal Act* and under section 10 of Ontario Regulation 509/98,
- iii. 38 per cent of the amounts, if any, received by the board in respect of the 1998 calendar year from a municipality under subsection 445 (4) of the *Municipal Act*,
- iv. 62 per cent of the amounts, if any, received by the board in respect of the 1999 calendar year from a municipality under subsection 445 (4) of the *Municipal Act*,
- v. the total of the taxes received by the board in respect of the 1998 calendar year under section 35 of the *Assessment Act*,
- vi. 38 per cent of the payments in lieu of taxes distributed to the board in respect of the 1998 calendar year under subsection 371.1 (1) of the *Municipal Act*,

3. Calculer l'effectif quotidien moyen des cours d'été du conseil pour l'exercice 1998-1999 conformément à l'article 4 du règlement sur l'effectif quotidien moyen de 1998-1999, en ne comptant que les élèves inscrits à des classes ou à des cours visés au sous-alinéa b) (i) ou (ii) de la définition de «classe ou cours d'été» au paragraphe 4 (1) de ce règlement.

5. L'article 42 du Règlement est modifié par adjonction de la disposition suivante :

- 5.1 Déduire l'élément cours d'été de rattrapage calculé pour le conseil aux termes de l'article 31.1.

6. Le paragraphe 53 (2) du Règlement est abrogé et remplacé par ce qui suit :

(2) Le conseil verse dans son fonds de réserve pour les installations d'accueil pour les élèves la différence entre la dépense qu'il engage pour faire l'acquisition d'immobilisations au cours de l'exercice 1998-1999 et le total visé au paragraphe (1) si la dépense est inférieure à ce total.

7. L'article 55 du Règlement est abrogé et remplacé par ce qui suit :

SUBVENTIONS EN FAVEUR DES CONSEILS ISOLÉS

55. (1) Pour l'application du présent article, constitue la dépense approuvée d'un conseil isolé la dépense que le ministre juge acceptable telle qu'elle figure dans les formules que le ministère fournit au conseil isolé aux fins du calcul de sa subvention générale de 1998-1999.

(2) Lorsqu'il fait des calculs pour l'application du paragraphe (1), le ministre applique, avec les adaptations qu'il estime indiquées pour tenir compte des caractéristiques propres aux administrations scolaires, la formule de financement sur laquelle se fondent les dispositions du présent règlement qui se rapportent aux subventions en faveur des conseils scolaires de district.

(3) Pour l'application du présent article, les recettes fiscales de 1998-1999 du conseil isolé sont calculées de la manière suivante :

I. Additionner ce qui suit :

- i. 38 pour cent du total des sommes remises au conseil à l'égard de l'année civile 1998 aux termes des paragraphes 237 (12) et 238 (2), de l'article 239, du paragraphe 240 (5), des articles 250 et 251 et des paragraphes 257.8 (2) et 257.9 (1) de la Loi, des articles 447.20 et 447.52 de la *Loi sur les municipalités* et de l'article 10 du Règlement de l'Ontario 509/98,
- ii. 62 pour cent du total des sommes remises au conseil à l'égard de l'année civile 1999 aux termes des paragraphes 237 (12) et 238 (2), de l'article 239, du paragraphe 240 (5), des articles 250 et 251 et des paragraphes 257.8 (2) et 257.9 (1) de la Loi, des articles 447.20 et 447.52 de la *Loi sur les municipalités* et de l'article 10 du Règlement de l'Ontario 509/98,
- iii. 38 pour cent des sommes éventuelles que le conseil reçoit à l'égard de l'année civile 1998 d'une municipalité aux termes du paragraphe 445 (4) de la *Loi sur les municipalités*,
- iv. 62 pour cent des sommes éventuelles que le conseil reçoit à l'égard de l'année civile 1999 d'une municipalité aux termes du paragraphe 445 (4) de la *Loi sur les municipalités*,
- v. le total des impôts que le conseil reçoit à l'égard de l'année civile 1998 aux termes de l'article 35 de la *Loi sur l'évaluation foncière*,
- vi. 38 pour cent des paiements tenant lieu d'impôts remis au conseil à l'égard de l'année civile 1998 aux termes du paragraphe 371.1 (1) de la *Loi sur les municipalités*,

- vii. 62 per cent of the payments in lieu of taxes distributed to the board in respect of the 1999 calendar year under subsection 371.1 (1) of the *Municipal Act*,
 - viii. 38 per cent of the amounts, if any, received by the board in respect of the 1998 calendar year under the *Municipal Grants Act* (Canada) or under any Act of Canada that permits a payment to be made by a government or a government agency in lieu of taxes on real property,
 - ix. 62 per cent of the amounts, if any, received by the board in respect of the 1999 calendar year under the *Municipal Grants Act* (Canada) or under any Act of Canada that permits a payment to be made by a government or a government agency in lieu of taxes on real property,
 - x. 38 per cent of the amounts, if any, shared with the board in respect of the 1998 calendar year under subsection 442.1 (11.3) of the *Municipal Act*,
 - xi. the total of the amounts, if any, distributed to the board in the 1998-99 fiscal year under subsection 2 (3) of Ontario Regulation 365/98, and
 - xii. the total of the amounts, if any, paid to the board in the 1998-99 fiscal year under clause 3 (1) (a) of Ontario Regulation 366/98.
2. Deduct the cost incurred in the 1998-99 fiscal year by the board under section 257.7 of the Act in collecting taxes for school purposes in territory without municipal organization, to a maximum of 2 per cent of the sum of,
- i. 38 per cent of the total amount of taxes levied by it for 1998 for school purposes in territory without municipal organization, and
 - ii. 62 per cent of the total amount of taxes levied by it for 1999 for school purposes in territory without municipal organization.
- 2.1 Deduct an amount approved by the Minister in respect of financing costs that are incurred by the board as a result of the delayed levy of 1998 taxes for school purposes in territory without municipal organization.
3. Deduct the amounts charged to the board in respect of the 1998 calendar year by a municipal council under section 421 of the *Municipal Act*, including amounts charged under that section as a result of private legislation.
4. Deduct the total of the amounts paid as rebates by the board under section 257.2.1 of the Act in the 1998-99 fiscal year.
5. Deduct 38 per cent of the total of the amounts, if any, paid by the board in respect of the 1998 calendar year under subsections 442.1 (7) and 442.2 (8.1) of the *Municipal Act*.
6. Deduct 62 per cent of the total of the amounts, if any, paid by the board in respect of the 1999 calendar year under subsections 442.1 (7) and 442.2 (8.1) of the *Municipal Act*.
- (4) Amounts paid by the Minister to the isolate board in respect of the 1998 calendar year under section 257.11 of the Act shall be deemed to be amounts distributed to the board in respect of the 1998 calendar year under a provision of the Act referred to in subparagraph i of paragraph 1 of subsection (3).
- (5) Amounts, if any, paid by the Minister to the isolate board in respect of the 1999 calendar year under section 257.11 of the Act shall be deemed to be amounts distributed to the board in respect of the 1999 calendar year under a provision of the Act referred to in subparagraph ii of paragraph 1 of subsection (3).
- vii. 62 pour cent des paiements tenant lieu d'impôts remis au conseil à l'égard de l'année civile 1999 aux termes du paragraphe 371.1 (1) de la *Loi sur les municipalités*,
 - viii. 38 pour cent des sommes éventuelles que le conseil reçoit à l'égard de l'année civile 1998 en vertu de la *Loi sur les subventions aux municipalités* (Canada) ou en vertu de toute loi du Canada qui autorise un gouvernement ou un organisme gouvernemental à effectuer un paiement tenant lieu d'impôts sur des biens immeubles,
 - ix. 62 pour cent des sommes éventuelles que le conseil reçoit à l'égard de l'année civile 1999 en vertu de la *Loi sur les subventions aux municipalités* (Canada) ou en vertu de toute loi du Canada qui autorise un gouvernement ou un organisme gouvernemental à effectuer un paiement tenant lieu d'impôts sur des biens immeubles,
 - x. 38 pour cent des sommes éventuelles partagées avec le conseil à l'égard de l'année civile 1998 aux termes du paragraphe 442.1 (11.3) de la *Loi sur les municipalités*,
 - xi. le total des sommes éventuelles remises au conseil pendant l'exercice 1998-1999 aux termes du paragraphe 2 (3) du Règlement de l'Ontario 365/98,
 - xii. le total des sommes éventuelles versées au conseil pendant l'exercice 1998-1999 aux termes de l'alinéa 3 (1) a) du Règlement de l'Ontario 366/98.
2. Déduire les frais de perception des impôts scolaires dans un territoire non érigé en municipalité qu'a engagés le conseil pendant l'exercice 1998-1999 aux termes de l'article 257.7 de la Loi, jusqu'à concurrence de 2 pour cent de la somme de ce qui suit :
- i. 38 pour cent du total des impôts scolaires qu'il a prélevés pour 1998 dans un tel territoire,
 - ii. 62 pour cent du total des impôts scolaires qu'il a prélevés pour 1999 dans un tel territoire.
- 2.1 Déduire la somme que le ministre approuve à l'égard des frais de financement qu'engage le conseil en raison du prélèvement différé des impôts scolaires de 1998 dans un territoire non érigé en municipalité.
3. Déduire les sommes qu'un conseil municipal a exigées du conseil à l'égard de l'année civile 1998 aux termes de l'article 421 de la *Loi sur les municipalités*, y compris les sommes exigées aux termes de cet article par suite d'une loi d'intérêt privé.
4. Déduire le total des remises que le conseil accorde aux termes de l'article 257.2.1 de la Loi pendant l'exercice 1998-1999.
5. Déduire 38 pour cent du total des sommes éventuelles que le conseil verse à l'égard de l'année civile 1998 aux termes des paragraphes 442.1 (7) et 442.2 (8.1) de la *Loi sur les municipalités*.
6. Déduire 62 pour cent du total des sommes éventuelles que le conseil verse à l'égard de l'année civile 1999 aux termes des paragraphes 442.1 (7) et 442.2 (8.1) de la *Loi sur les municipalités*.
- (4) Les sommes que le ministre verse au conseil isolé à l'égard de l'année civile 1998 aux termes de l'article 257.11 de la Loi sont réputées des sommes remises au conseil à l'égard de l'année civile 1998 aux termes d'une disposition de la Loi visée à la sous-disposition i de la disposition 1 du paragraphe (3).
- (5) Les sommes éventuelles que le ministre verse au conseil isolé à l'égard de l'année civile 1999 aux termes de l'article 257.11 de la Loi sont réputées des sommes remises au conseil à l'égard de l'année civile 1999 aux termes d'une disposition de la Loi visée à la sous-disposition ii de la disposition 1 du paragraphe (3).

(6) Paragraph 2 of subsection (3) shall not be interpreted to preclude including in the isolate board's approved expenditure an amount on account of the costs incurred by the board in collecting taxes in territory without municipal organization, where those costs exceed the amount deducted under paragraph 2 of subsection (3).

(7) Where the approved expenditure of an isolate board exceeds its 1998-99 tax revenue, the board shall be paid a grant equal to the excess.

(6) La disposition 2 du paragraphe (3) ne doit pas être interprétée de façon à empêcher l'inclusion, dans les dépenses approuvées du conseil isolé, des frais de perception des impôts dans un territoire non érigé en municipalité qu'il a engagés si ces frais sont supérieurs à la somme déduite aux termes de cette disposition.

(7) Le conseil isolé dont les dépenses approuvées sont supérieures à ses recettes fiscales de 1998-1999 reçoit une subvention égale à cet excédent.

16/99

ONTARIO REGULATION 213/99
made under the
EDUCATION ACT

Made: March 24, 1999
Filed: March 31, 1999

**CALCULATION OF AVERAGE DAILY
ENROLMENT FOR THE 1999-2000 FISCAL YEAR**

1. In this Regulation,

"1999-2000 fiscal year" means the period beginning September 1, 1999 and ending August 31, 2000; ("exercice 1999-2000")

"cycle" means the number of school days for which a schedule of classes in a school continues before the schedule is repeated; ("horaire")

"day school" and "day school program" do not include continuing education or summer school classes or courses; ("cours de jour", "programme scolaire de jour")

"full-time pupil" means a pupil who,

- (a) is enrolled in day school other than in junior kindergarten or kindergarten, and
- (b) in respect of a cycle, is registered for classroom instruction for an average of at least 210 minutes per school day; ("élève à temps plein")

"half-time pupil" means a pupil who is enrolled in junior kindergarten or kindergarten and, in respect of a cycle, is registered for classroom instruction for an average of at least 150 minutes per school day; ("élève à mi-temps")

"independent study course" means a credit course that is provided to a pupil other than a full-time pupil and that,

- (a) meets the criteria set out in the independent study course register for inclusion in the determination of day school enrolment, or
- (b) is approved by the Minister as an independent study course to be included in the determination of day school enrolment; ("cours d'études personnelles")

"part-time pupil" means a pupil who is enrolled in day school and is neither a full-time nor a half-time pupil. ("élève à temps partiel")

2. Day school average daily enrolment for a board for the 1999-2000 fiscal year is the sum of,

- (a) the product of 0.5 and the sum of,
 - (i) the number of full-time pupils enrolled on October 31, 1999 in schools operated by the board,

RÈGLEMENT DE L'ONTARIO 213/99
pris en application de la
LOI SUR L'ÉDUCATION

pris le 24 mars 1999
déposé le 31 mars 1999

**CALCUL DE L'EFFECTIF QUOTIDIEN MOYEN
POUR L'EXERCICE 1999-2000**

1. Les définitions qui suivent s'appliquent au présent règlement.

«cours de jour» et «programme scolaire de jour» Sont exclus les classes ou les cours d'éducation permanente et les classes ou les cours d'été. («day school», «day school program»)

«cours d'études personnelles» Cours crédité qui est dispensé à un élève, à l'exclusion d'un élève à temps plein, et qui, selon le cas :

- a) satisfait aux critères énoncés dans le registre des cours d'études personnelles pour être inclus dans le calcul de l'effectif de jour;
- b) est approuvé par le ministre à titre de cours d'études personnelles à inclure dans le calcul de l'effectif de jour. («independent study course»)

«élève à mi-temps» Élève qui est inscrit à la maternelle ou au jardin d'enfants pour une moyenne d'au moins 150 minutes d'enseignement en classe par jour de classe à l'égard d'un horaire. («half-time pupil»)

«élève à temps partiel» Élève qui est inscrit aux cours de jour et qui n'est ni un élève à temps plein ni un élève à mi-temps. («part-time pupil»)

«élève à temps plein» Élève qui :

- a) d'une part, est inscrit aux cours de jour, à l'exclusion de la maternelle ou du jardin d'enfants;
- b) d'autre part, est inscrit pour une moyenne d'au moins 210 minutes d'enseignement en classe par jour de classe à l'égard d'un horaire. («full-time pupil»)

«exercice 1999-2000» La période qui commence le 1^{er} septembre 1999 et qui se termine le 31 août 2000. («1999-2000 fiscal year»)

«horaire» Le nombre de jours que couvre le calendrier des classes d'une école avant de recommencer. («cycle»)

2. L'effectif quotidien moyen de jour d'un conseil pour l'exercice 1999-2000 correspond à la somme de ce qui suit :

- a) le produit de 0,5 par la somme de ce qui suit :
 - (i) le nombre d'élèves à temps plein inscrits le 31 octobre 1999 aux écoles qui relèvent du conseil,

- (ii) 0.5 times the number of half-time pupils enrolled on that day in schools operated by the board, and
 - (iii) the quotient obtained by determining, for each part-time pupil enrolled on that day in a school operated by the board, the number of minutes for which the pupil is registered for classroom instruction in the cycle that includes that day, in a course other than an independent study course, and dividing the sum of the numbers so determined by the product of 300 and the number of days in the cycle;
- b) the product of 0.5 and the sum of,
- (i) the number of full-time pupils enrolled on March 31, 2000 in schools operated by the board,
 - (ii) 0.5 times the number of half-time pupils enrolled on that day in schools operated by the board, and
 - (iii) the quotient obtained by determining, for each part-time pupil enrolled on that day in a school operated by the board, the number of minutes for which the pupil is registered for classroom instruction in the cycle that includes that day, in a course other than an independent study course, and dividing the sum of the numbers so determined by the product of 300 and the number of days in the cycle; and
- c) an amount in respect of each pupil enrolled in a school of the board who is registered for an independent study course, calculated as follows:

$$\frac{A}{7.5} \times B$$

where,

A = the number of credits and partial credits that may be earned by the pupil on successful completion of the course,

B = the fraction representing the portion of the total quantity of work required for completion of the course that is completed by the pupil during the 1999-2000 fiscal year.

3. (1) Continuing education average daily enrolment for a board for the 1999-2000 fiscal year is the sum of,

- (a) an amount in respect of each pupil who is enrolled in a continuing education class or course established by the board, other than a continuing education course delivered primarily through means other than classroom instruction, calculated as follows:

$$\frac{A \times B}{300 \times 190}$$

where,

A = the number of sessions for which the pupil is enrolled in the 1999-2000 fiscal year,

B = the number of minutes in each session; and

- (b) an amount in respect of each pupil who is enrolled in a continuing education course established by the board and delivered primarily through means other than classroom instruction calculated as follows:

$$A \times 0.1134 \times B$$

- (ii) 0,5 fois le nombre d'élèves à mi-temps inscrits ce jour-là aux écoles qui relèvent du conseil,
- (iii) le quotient obtenu en calculant, pour chaque élève à temps partiel inscrit ce jour-là à une école qui relève du conseil, le nombre de minutes pour lesquelles il est inscrit en vue de recevoir un enseignement en classe pendant l'horaire qui inclut ce jour-là, à un cours autre qu'un cours d'études personnelles, et en divisant la somme des nombres ainsi obtenus par le produit de 300 et du nombre de jours que compte l'horaire;

b) le produit de 0,5 par la somme de ce qui suit :

- (i) le nombre d'élèves à temps plein inscrits le 31 mars 2000 aux écoles qui relèvent du conseil,
- (ii) 0,5 fois le nombre d'élèves à mi-temps inscrits ce jour-là aux écoles qui relèvent du conseil,
- (iii) le quotient obtenu en calculant, pour chaque élève à temps partiel inscrit ce jour-là à une école qui relève du conseil, le nombre de minutes pour lesquelles cet élève est inscrit en vue de recevoir un enseignement en classe pendant l'horaire qui inclut ce jour-là, à un cours autre qu'un cours d'études personnelles, et en divisant la somme des nombres ainsi obtenus par le produit de 300 et du nombre de jours que compte l'horaire;

c) une valeur relative à chaque élève inscrit à une école du conseil, à un cours d'études personnelles, calculée selon la formule suivante :

$$\frac{A}{7.5} \times B$$

où :

A = le nombre de crédits et de fractions de crédits que peut obtenir l'élève qui termine le cours avec succès,

B = la fraction représentant la tranche de la quantité totale de travail exigée pour terminer le cours que l'élève a terminée au cours de l'exercice 1999-2000.

3. (1) L'effectif quotidien moyen de l'éducation permanente d'un conseil pour l'exercice 1999-2000 correspond à la somme de ce qui suit :

- a) une valeur relative à chaque élève qui est inscrit à une classe ou à un cours d'éducation permanente créé par le conseil, à l'exclusion d'un cours d'éducation permanente dispensé principalement par des moyens autres qu'un enseignement en classe, calculée selon la formule suivante :

$$\frac{A \times B}{300 \times 190}$$

où :

A = le nombre de séances pour lesquelles l'élève est inscrit pendant l'exercice 1999-2000,

B = le nombre de minutes que comprend chaque séance;

- b) une valeur relative à chaque élève qui est inscrit à un cours d'éducation permanente créé par le conseil et dispensé principalement par des moyens autres qu'un enseignement en classe, calculée selon la formule suivante :

$$A \times 0.1134 \times B$$

where,

A = the number of credits and partial credits that may be earned by the pupil on successful completion of the course,

B = the fraction representing the portion of the total quantity of work required for completion of the course that is completed by the pupil during the period from September 1, 1999 to August 31, 2000.

(2) A class or course is a continuing education class or course for the purposes of subsection (1) only if it is not a summer school class or course as defined in subsection 4 (1), it is approved by the Minister and it is,

- (a) a class or course, including a course delivered primarily through means other than classroom instruction, established for adults for which one or more credits may be granted, so long as in the case of a class or course offered by a school authority that is only authorized to provide elementary education, the class or course is in the intermediate division;
- (b) a class or course in citizenship and, where necessary, in language instruction in the English or the French language for persons admitted to Canada as permanent residents under the *Immigration Act* (Canada);
- (c) a class or course in English or French for adults whose first language learned and still understood is neither English nor French and that is not a class or course in which a pupil may earn a credit in English or French as a second language; or
- (d) a class or course of Native language instruction for adults.

(3) In calculating the continuing education average daily enrolment for a board under subsection (1) with respect to a class or course established for adults and referred to in clause (2) (a), (c) or (d), any pupils in the class or course who are not adults shall be included.

(4) In calculating the continuing education average daily enrolment for a board under subsection (1) with respect to a class or course referred to in subsection (5),

- (a) if the number of pupils in the class or course is 10 or more and less than 15, that number shall be increased to 15; and
- (b) if the number of pupils in the class or course is less than 10, that number shall be increased by five.

(5) Subsection (4) applies with respect to,

- (a) a class or course referred to in clause (2) (b), (c) or (d); and
- (b) a class or course referred to in clause (2) (a), other than a course delivered primarily through means other than classroom instruction, if the class or course is offered in a secondary school that has an enrolment of fewer than 120 pupils per grade and that is located in a territorial district more than 80 kilometres from all other secondary schools in the Province that have the same language of instruction.

4. (1) In this section,

“summer school class or course” means a class or course provided by a board between the hours of 8 a.m. and 5 p.m. if,

- (a) the class or course starts after the completion of the 1999-2000 school year and ends before the start of the 2000-2001 school year, and

où:

A = le nombre de crédits et de fractions de crédits que peut obtenir l'élève qui termine le cours avec succès,

B = la fraction représentant la tranche de la quantité totale de travail exigée pour terminer le cours que l'élève a terminée au cours de la période allant du 1^{er} septembre 1999 au 31 août 2000.

(2) Une classe ou un cours ne constitue une classe ou un cours d'éducation permanente pour l'application du paragraphe (1) que s'il n'est pas une classe ou un cours d'été au sens du paragraphe 4 (1), est approuvé par le ministre et est :

- a) soit une classe ou un cours, y compris un cours dispensé principalement par des moyens autres qu'un enseignement en classe, créé à l'intention d'adultes qui peuvent obtenir un ou plusieurs crédits, dans la mesure où la classe ou le cours appartient au cycle intermédiaire s'il est offert par une administration scolaire qui n'est autorisée à dispenser qu'un enseignement à l'élémentaire;
- b) soit une classe ou un cours d'instruction civique et, au besoin, d'apprentissage du français ou de l'anglais destiné à des personnes admises au Canada à titre de résidents permanents aux termes de la *Loi sur l'immigration* (Canada);
- c) soit une classe ou un cours de français ou d'anglais destiné à des adultes dont la première langue apprise et encore comprise n'est ni le français ni l'anglais, et qui n'est ni une classe ni un cours dans lequel l'élève peut obtenir un crédit en français ou en anglais langue seconde;
- d) soit une classe ou un cours de langue autochtone destiné à des adultes.

(3) Tout élève d'une classe ou d'un cours créé à l'intention d'adultes et visé à l'alinéa (2) a), c) ou d) qui n'est pas un adulte est décompté aux fins du calcul de l'effectif quotidien moyen de l'éducation permanente effectué pour le conseil aux termes du paragraphe (1) à l'égard de cette classe ou de ce cours.

(4) Les conditions suivantes s'appliquent au calcul de l'effectif quotidien moyen de l'éducation permanente effectué pour le conseil aux termes du paragraphe (1) à l'égard d'une classe ou d'un cours visé au paragraphe (5) :

- a) le nombre d'élèves de la classe ou du cours qui compte 10 élèves ou plus, mais moins de 15, est porté à 15;
- b) le nombre d'élèves de la classe ou du cours qui compte moins de 10 élèves est augmenté de cinq.

(5) Le paragraphe (4) s'applique à l'égard de ce qui suit :

- a) une classe ou un cours visé à l'alinéa (2) b), c) ou d);
- b) une classe ou un cours visé à l'alinéa (2) a), à l'exclusion d'un cours dispensé principalement par des moyens autres qu'un enseignement en classe, qui est offert, le cas échéant, par une école secondaire qui a un effectif de moins de 120 élèves par année d'études et qui est située dans un district territorial à plus de 80 kilomètres de toutes les autres écoles secondaires de la province qui dispensent l'enseignement dans la même langue.

4. (1) La définition qui suit s'applique au présent article.

«classe ou cours d'été» Classe ou cours offert par un conseil entre 8 h et 17 h si les conditions suivantes sont réunies :

- a) la classe ou le cours commence après la fin de l'année scolaire 1999-2000 et se termine avant le début de l'année scolaire 2000-2001;

(b) the class or course,

(i) is for developmentally delayed pupils,

(ii) is one in which a pupil may earn a credit, or

(iii) is for pupils who have completed grade 8 in the 1999-2000 school year and for whom a remedial program has been recommended by the principal of the school at which the pupil completed grade 8.

(2) Only pupils who were enrolled in a day school program offered by a board in the 1999-2000 school year shall be counted for the purposes of this section.

(3) Summer school average daily enrolment for a board for the 1999-2000 fiscal year is the sum of the amounts in respect of each pupil enrolled in a summer school class or course that is provided by the board, other than a course delivered primarily through means other than classroom instruction, calculated as follows:

$$\frac{A \times B}{300 \times 190}$$

where,

A = the number of sessions of the summer school class or course in which the pupil is enrolled in the 1999-2000 fiscal year,

B = the number of minutes in each session.

b) la classe ou le cours est, selon le cas :

(i) destiné aux élèves qui présentent un retard du développement,

(ii) une classe ou un cours où l'élève peut obtenir un crédit,

(iii) destiné aux élèves qui ont terminé la huitième année pendant l'année scolaire 1999-2000 et pour lesquels un programme de rattrapage a été recommandé par le directeur de l'école où l'élève a terminé cette année.

(2) Seuls les élèves qui étaient inscrits à un programme scolaire de jour dispensé par un conseil pendant l'année scolaire 1999-2000 sont dénombrés pour l'application du présent article.

(3) L'effectif quotidien moyen des cours d'été d'un conseil pour l'exercice 1999-2000 correspond à la somme de valeurs dont chacune est une valeur relative à chaque élève qui est inscrit à une classe ou à un cours d'été dispensé par le conseil, à l'exclusion d'un cours dispensé principalement par des moyens autres qu'un enseignement en classe, calculée selon la formule suivante :

$$\frac{A \times B}{300 \times 190}$$

où :

A = le nombre de séances de la classe ou du cours d'été auquel l'élève est inscrit pendant l'exercice 1999-2000,

B = le nombre de minutes que comprend chaque séance.

16/99

ONTARIO REGULATION 214/99
made under the
EDUCATION ACT

Made: March 24, 1999
Filed: March 31, 1999

**STUDENT FOCUSED FUNDING—LEGISLATIVE
GRANTS FOR THE SCHOOL BOARD 1999-2000
FISCAL YEAR**

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RÈGLEMENT DE L'ONTARIO 214/99
pris en application de la
LOI SUR L'ÉDUCATION

pris le 24 mars 1999
déposé le 31 mars 1999

**FINANCEMENT AXÉ SUR LES BESOINS DES
ÉLÈVES — SUBVENTIONS GÉNÉRALES POUR
L'EXERCICE 1999-2000 DES CONSEILS
SCOLAIRES**

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PART I GENERAL

INTERPRETATION

1. In this Regulation,

“1999-2000 A.D.E. regulation” means Ontario Regulation 213/99; (“règlement sur l’effectif quotidien moyen de 1999-2000”)

“1999-2000 fees regulation” means Ontario Regulation 215/99; (“règlement sur les droits de 1999-2000”)

“1999-2000 fiscal year” means the fiscal year from September 1, 1999 to August 31, 2000; (“exercice 1999-2000”)

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PARTIE I DISPOSITIONS GÉNÉRALES

INTERPRÉTATION

1. Les définitions qui suivent s'appliquent au présent règlement.

«AAS» Allocation d'aide spécialisée. («ISA»)

«ALF» Actualisation linguistique en français. («ALF»)

«ancien conseil» Ne s'entend pas des conseils de secteur de la communauté urbaine de Toronto ni du Conseil des écoles françaises de la communauté urbaine de Toronto. («old board»)

“ALF” stands for actualisation linguistique en français; (“ALF”)

“capital asset” means,

- (a) a school site that provides or is capable of providing pupil accommodation and an addition or improvement to such a school site,
- (b) a school building, including a fixture of a school building, and an addition, alteration, renovation or major repair to a school building or a fixture of a school building,
- (c) furniture and equipment to be used in school buildings,
- (d) library materials for the initial equipping of a library in a school building, and
- (e) a water supply or electrical power supply on school property or the means of conveying water or electrical power to school property from outside the property; (“immobilisation”)

“cycle” has the same meaning as in the 1999-2000 A.D.E. regulation; (“horaire”)

“designated board associated with an old board” means the district school board that is listed in Column 2 of Schedule 1 to Ontario Regulation 460/97, opposite the old board listed in Column 1 of that Schedule; (“conseil désigné rattaché à un ancien conseil”)

“elementary school pupil” means a pupil who is enrolled in any of junior kindergarten, kindergarten and grades one to eight; (“élève de l'élémentaire”)

“ESD” stands for English skills development; (“ESD”)

“ESL” stands for English as a second language; (“ESL”)

“full-time pupil” has the same meaning as in the 1999-2000 A.D.E. regulation; (“élève à temps plein”)

“half-time pupil” has the same meaning as in the 1999-2000 A.D.E. regulation; (“élève à mi-temps”)

“independent study course” has the same meaning as in the 1999-2000 A.D.E. regulation; (“cours d'études personnelles”)

“ISA” stands for intensive support amount; (“AAS”)

“isolate board” is a school authority other than a section 68 board; (“conseil isolé”)

“Metropolitan Toronto area board” means,

- (a) The Board of Education for the Borough of East York,
- (b) The Board of Education for the City of Etobicoke,
- (c) The Board of Education for the City of North York,
- (d) The Board of Education for the City of Scarborough,
- (e) The Board of Education for the City of Toronto, and
- (f) The Board of Education for the City of York; (“conseil de secteur de la communauté urbaine de Toronto”)

“old board” does not include the Metropolitan Toronto area boards or The Metropolitan Toronto French-Language School Council; (“ancien conseil”)

“part-time pupil” has the same meaning as in the 1999-2000 A.D.E. regulation; (“élève à temps partiel”)

“PDF” stands for perfectionnement du français; (“PDF”)

«ancien conseil non parachevé» Ancien conseil auquel s'appliquait le paragraphe 4 (1) du Règlement de l'Ontario 78/97. («unextended old board»)

«conseil créé en vertu de l'article 68» Conseil créé en vertu de l'article 68 de la Loi. («section 68 board»)

«conseil de secteur de la communauté urbaine de Toronto» :

- a) Le Conseil de l'éducation de la municipalité d'East York;
- b) le Conseil de l'éducation de la cité d'Etobicoke;
- c) le Conseil de l'éducation de la cité de North York;
- d) le Conseil de l'éducation de la cité de Scarborough;
- e) le Conseil de l'éducation de la cité de Toronto;
- f) le Conseil de l'éducation de la cité de York. («Metropolitan Toronto area board»)

«conseil désigné rattaché à un ancien conseil» S'entend du conseil scolaire de district mentionné dans la colonne 2 de l'annexe 1 du Règlement de l'Ontario 460/97, en regard de l'ancien conseil mentionné dans la colonne 1 de cette annexe. («designated board associated with an old board»)

«conseil isolé» Administration scolaire, à l'exclusion d'un conseil créé en vertu de l'article 68. («isolate board»)

«conseil secondé rattaché à un ancien conseil» S'entend du conseil scolaire de district mentionné dans la colonne 3 de l'annexe 1 du Règlement de l'Ontario 460/97, en regard de l'ancien conseil mentionné dans la colonne 1 de cette annexe. («supported board associated with an old board»)

«cours d'études personnelles» S'entend au sens du règlement sur l'effectif quotidien moyen de 1999-2000. («independent study course»)

«élève à mi-temps» S'entend au sens du règlement sur l'effectif quotidien moyen de 1999-2000. («half-time pupil»)

«élève à temps partiel» S'entend au sens du règlement sur l'effectif quotidien moyen de 1999-2000. («part-time pupil»)

«élève à temps plein» S'entend au sens du règlement sur l'effectif quotidien moyen de 1999-2000. («full-time pupil»)

«élève de l'élémentaire» Élève inscrit à la maternelle, au jardin d'enfants ou à l'une des huit premières années d'études. («elementary school pupil»)

«élève du secondaire» Élève inscrit à la neuvième, dixième, onzième ou douzième année ou à un cours menant à l'obtention d'un crédit des cours préuniversitaires de l'Ontario. («secondary school pupil»)

«ESD» English skills development. («ESD»)

«ESL» English as a second language. («ESL»)

«exercice 1999-2000» L'exercice qui commence le 1^{er} septembre 1999 et qui se termine le 31 août 2000. («1999-2000 fiscal year»)

«horaire» S'entend au sens du règlement sur l'effectif quotidien moyen de 1999-2000. («cycle»)

«immobilisation» S'entend de ce qui suit :

- a) l'emplacement scolaire qui offre ou est capable d'offrir des installations d'accueil pour les élèves et son agrandissement et l'amélioration qui y est apportée;
- b) le bâtiment scolaire, y compris un accessoire fixe, ainsi que son agrandissement, sa transformation, sa rénovation ou une réparation importante qui lui est apportée;

"secondary school pupil" means a pupil who is enrolled in any of grades nine to twelve or in a course leading to an OAC credit; ("élève du secondaire")

"section 68 board" is a board established under section 68 of the Act; ("conseil créé en vertu de l'article 68")

"supported board associated with an old board" means the district school board that is listed in Column 3 of Schedule 1 to Ontario Regulation 460/97, opposite the old board listed in Column 1 of that Schedule; ("conseil secondé rattaché à un ancien conseil")

"unextended old board" means an old board to which subsection 4 (1) of Ontario Regulation 78/97 applied. ("ancien conseil non parachevé")

2. (1) Subject to subsections (2) to (5), for the purposes of this Regulation, a pupil is a pupil of a board if he or she is enrolled in a school operated by the board.

(2) A pupil who receives instruction in an education program provided by a board in a facility described or mentioned in subsection 19 (2) is not a pupil enrolled in a school operated by the board for the purposes of subsection (1).

(3) Subsection (4) applies where,

- (a) the area of jurisdiction of a separate district school board includes all or part of the area that was, immediately before January 1, 1998, the area of jurisdiction of an unextended old board;
- (b) the separate district school board does not operate a secondary school in the area that was, immediately before January 1, 1998, the area of jurisdiction of the unextended old board; and
- (c) the separate district school board has entered into a purchase of services agreement with a public board to provide instruction, in schools located in the area that was, immediately before January 1, 1998, the area of jurisdiction of the unextended old board, to secondary school pupils who are qualified to be resident pupils of the separate board.

(4) For the purposes of this Regulation, pupils receiving instruction under an agreement referred to in clause (3) (c) are pupils of the separate district school board and are not pupils of the public board.

(5) For the purposes of this Regulation, the following are not pupils of a board even if they are enrolled in a school of the board:

- 1. A pupil who is a registered Indian residing on a reserve within the meaning of the *Indian Act* (Canada).
- 2. A pupil who is liable to pay fees as specified in subsection 49 (6) of the *Education Act* because he or she is a visitor within the meaning of the *Immigration Act* (Canada) or is in possession of a student authorization issued under that Act.
- 3. A pupil in respect of whom the board may charge a fee under section 5 of the 1999-2000 fees regulation.

3. (1) For the purposes of this Regulation, the 1999-2000 day school average daily enrolment of pupils of a board is the day school average daily enrolment for the board determined under section 2 of the 1999-2000 A.D.E. regulation, counting only pupils of the board, excluding secondary school pupils who are 21 years of age or more on December 31, 1999.

- c) les meubles et le matériel qui doivent servir dans les bâtiments scolaires;
- d) les documents de bibliothèque nécessaires à la dotation initiale d'une bibliothèque en matériel dans un bâtiment scolaire;
- e) les installations d'alimentation de l'école en eau ou en électricité, soit sur les lieux mêmes, soit par approvisionnement en provenance de l'extérieur. («capital asset»)

«PDF» Perfectionnement du français. («PDF»)

«règlement sur l'effectif quotidien moyen de 1999-2000» Le Règlement de l'Ontario 213/99. («1999-2000 A.D.E. regulation»)

«règlement sur les droits de 1999-2000» Le Règlement de l'Ontario 215/99. («1999-2000 fees regulation»)

2. (1) Sous réserve des paragraphes (2) à (5), pour l'application du présent règlement, un élève est un élève d'un conseil s'il est inscrit à une école qui relève du conseil.

(2) L'élève qui reçoit un enseignement dans un programme d'enseignement dispensé par un conseil dans un établissement visé ou mentionné au paragraphe 19 (2) n'est pas un élève inscrit à une école qui relève du conseil pour l'application du paragraphe (1).

(3) Le paragraphe (4) s'applique si les conditions suivantes sont réunies :

- a) le territoire de compétence d'un conseil scolaire de district séparé comprend tout ou partie du territoire qui était, immédiatement avant le 1^{er} janvier 1998, le territoire de compétence d'un ancien conseil non parachevé;
- b) le conseil scolaire de district séparé ne fait pas fonctionner d'école secondaire dans le territoire qui était, immédiatement avant le 1^{er} janvier 1998, le territoire de compétence de l'ancien conseil non parachevé;
- c) le conseil scolaire de district séparé a conclu avec un conseil public une entente d'achat de services pour dispenser, dans des écoles situées dans le territoire qui était, immédiatement avant le 1^{er} janvier 1998, le territoire de compétence de l'ancien conseil non parachevé, un enseignement aux élèves du secondaire qui satisfont aux conditions requises pour être élèves résidents du conseil séparé.

(4) Pour l'application du présent règlement, les élèves qui reçoivent un enseignement aux termes de l'entente visée à l'alinéa (3) c) sont des élèves du conseil scolaire de district séparé et ne sont pas des élèves du conseil public.

(5) Pour l'application du présent règlement, les élèves suivants ne sont pas des élèves d'un conseil même s'ils sont inscrits à une école du conseil :

- 1. Les élèves qui sont des Indiens inscrits qui résident dans une réserve au sens de la *Loi sur les Indiens* (Canada).
- 2. Les élèves qui sont tenus de verser les droits précisés au paragraphe 49 (6) de la *Loi sur l'éducation* parce qu'ils sont des visiteurs au sens de la *Loi sur l'immigration* (Canada) ou qu'ils sont en possession d'un permis de séjour pour étudiant délivré en vertu de cette loi.
- 3. Les élèves à l'égard desquels le conseil peut imposer des droits en vertu de l'article 5 du règlement sur les droits de 1999-2000.

3. (1) Pour l'application du présent règlement, l'effectif quotidien moyen de jour des élèves d'un conseil pour 1999-2000 correspond à l'effectif quotidien moyen de jour du conseil calculé conformément à l'article 2 du règlement sur l'effectif quotidien moyen de 1999-2000, en ne comptant que les élèves du conseil, à l'exclusion des élèves du secondaire qui sont âgés de 21 ans ou plus le 31 décembre 1999.

(2) For the purposes of this Regulation, the 1999-2000 day school average daily enrolment of elementary school pupils of a board is the day school average daily enrolment for the board determined under section 2 of the 1999-2000 A.D.E. regulation, counting only the elementary school pupils of the board.

(3) For the purposes of this Regulation, the 1999-2000 day school average daily enrolment of secondary school pupils of a board is the day school average daily enrolment for the board determined under section 2 of the 1999-2000 A.D.E. regulation, counting only secondary school pupils of the board and excluding secondary school pupils who are 21 years of age or more on December 31, 1999.

(4) For the purposes of this Regulation, the day school full-time equivalent enrolment for a board as of October 31, 1999 is the sum of,

- (a) the number of full-time pupils of the board enrolled on October 31, 1999, excluding secondary school pupils who are 21 years of age or more on December 31, 1999;
- (b) 0.5 times the number of half-time pupils of the board enrolled on October 31, 1999, excluding secondary school pupils who are 21 years of age or more on December 31, 1999; and
- (c) the quotient obtained by determining, for each part-time pupil of the board enrolled on October 31, 1999, other than secondary school pupils who are 21 years of age or more on December 31, 1999, the number of minutes for which the pupil is registered for classroom instruction in the cycle that includes October 31, 1999, in a course other than an independent study course, and dividing the sum of the numbers so determined by the product of 300 and the number of days in the cycle.

(5) Where this Regulation requires that pupils be counted but does not provide that the count shall be on the basis of average daily enrolment or on the basis of full-time equivalent enrolment, each pupil, whether full-time, half-time or part-time, shall be counted as one.

4. (1) A count of pupils for the purposes of this Regulation on the basis of average daily enrolment or on the basis of full-time equivalent enrolment shall be accurate to two decimal places.

(2) A count of teachers for the purposes of this Regulation on the basis of full-time equivalence shall be accurate to one decimal place.

GENERAL

5. (1) The legislative grant payable for the 1999-2000 fiscal year to a district school board is the amount calculated under Part II.

(2) The legislative grant payable for the 1999-2000 fiscal year to an isolate board is the amount calculated under Part III.

(3) The legislative grant payable for the 1999-2000 fiscal year to a section 68 board is the amount calculated under Part III.

6. Except as otherwise provided in section 49, a legislative grant payable under this Regulation shall be paid on an estimated basis during the 1999-2000 fiscal year and such adjustments as may be necessary shall be made after the actual financial, enrolment and other data are available.

7. (1) It is a condition of the payment of a grant to a board under this Regulation that the board comply with all Acts administered by the Minister and with all regulations, policies, guidelines, directives and similar instruments made under an Act administered by the Minister.

(2) Pour l'application du présent règlement, l'effectif quotidien moyen de jour des élèves de l'élémentaire d'un conseil pour 1999-2000 correspond à l'effectif quotidien moyen de jour du conseil calculé conformément à l'article 2 du règlement sur l'effectif quotidien moyen de 1999-2000, en ne comptant que les élèves de l'élémentaire du conseil.

(3) Pour l'application du présent règlement, l'effectif quotidien moyen de jour des élèves du secondaire d'un conseil pour 1999-2000 correspond à l'effectif quotidien moyen de jour du conseil calculé conformément à l'article 2 du règlement sur l'effectif quotidien moyen de 1999-2000, en ne comptant que les élèves du secondaire du conseil, à l'exclusion de ceux qui sont âgés de 21 ans ou plus le 31 décembre 1999.

(4) Pour l'application du présent règlement, l'effectif de jour à temps plein ou l'équivalent d'un conseil au 31 octobre 1999 correspond à la somme de ce qui suit :

- a) le nombre d'élèves à temps plein du conseil inscrits le 31 octobre 1999, à l'exclusion des élèves du secondaire qui sont âgés de 21 ans ou plus le 31 décembre 1999;
- b) 0,5 fois le nombre d'élèves à mi-temps du conseil inscrits le 31 octobre 1999, à l'exclusion des élèves du secondaire qui sont âgés de 21 ans ou plus le 31 décembre 1999;
- c) le quotient obtenu en calculant, pour chaque élève à temps partiel du conseil inscrit le 31 octobre 1999, à l'exclusion d'un élève du secondaire qui est âgé de 21 ans ou plus le 31 décembre 1999, le nombre de minutes pour lesquelles il est inscrit en vue de recevoir un enseignement en classe pendant l'horaire qui inclut le 31 octobre 1999, à un cours autre qu'un cours d'études personnelles, et en divisant la somme des nombres ainsi obtenus par le produit de 300 et du nombre de jours que compte l'horaire.

(5) Si le présent règlement exige que les élèves soient dénombrés, mais qu'il ne prévoit pas que le dénombrement soit effectué en fonction de l'effectif quotidien moyen ou de l'effectif à temps plein ou l'équivalent, chaque élève, qu'il soit à temps plein, à mi-temps ou à temps partiel, compte pour un élève.

4. (1) Le dénombrement des élèves qui est effectué pour l'application du présent règlement en fonction de l'effectif quotidien moyen ou de l'effectif à temps plein ou l'équivalent, se fait à deux décimales près.

(2) Le dénombrement des enseignants qui est effectué pour l'application du présent règlement en fonction de l'équivalence à temps plein se fait à une décimale près.

DISPOSITIONS GÉNÉRALES

5. (1) La subvention générale payable pour l'exercice 1999-2000 à un conseil scolaire de district correspond à la somme calculée aux termes de la partie II.

(2) La subvention générale payable pour l'exercice 1999-2000 à un conseil isolé correspond à la somme calculée aux termes de la partie III.

(3) La subvention générale payable pour l'exercice 1999-2000 à un conseil créé en vertu de l'article 68 correspond à la somme calculée aux termes de la partie III.

6. Sous réserve de l'article 49, les subventions générales payables aux termes du présent règlement se fondent sur des estimations pendant l'exercice 1999-2000. Les redressements éventuels nécessaires sont effectués lorsque les données, notamment les données financières et l'effectif réels, sont connues.

7. (1) L'obligation pour les conseils de se conformer aux lois dont l'application relève du ministre et aux textes pris en application de telles lois, notamment des règlements, des politiques, des lignes directrices ou des directives, est une condition du versement des subventions prévues par le présent règlement.

(2) Where a board contravenes an Act administered by the Minister or a regulation, policy, guideline, directive or similar instrument made under an Act administered by the Minister, the Minister may withhold all or part of a grant otherwise payable to the board under the Act until the board takes the steps necessary to correct the situation.

8. (1) Where the amount payable to an old board under a legislative grant regulation was overpaid, the overpayment shall be deducted from the grants payable under this Regulation to the designated board associated with the old board and to the supported board associated with the old board, in accordance with the appropriate distribution ratios as determined under the directives published in September, 1997 by the Education Improvement Commission and titled "Directives for the Distribution of Assets and Liabilities Among District School Boards".

(2) Where the amount payable to a board under a legislative grant regulation was overpaid, the overpayment shall be deducted from the grants payable under this Regulation to the board.

9. (1) Where the amount payable to an old board under a legislative grant regulation was underpaid, the underpayment shall be added to the grants payable under this Regulation to the designated board associated with the old board and to the supported board associated with the old board, in accordance with the appropriate distribution ratios as determined under the directives published in September, 1997 by the Education Improvement Commission and titled "Directives for the Distribution of Assets and Liabilities Among District School Boards".

(2) Where the amount payable to a board under a legislative grant regulation was underpaid, the underpayment shall be added to the grants payable under this Regulation to the board.

PART II GRANTS TO DISTRICT SCHOOL BOARDS

GRANT ENTITLEMENT

10. (1) For the purposes of this Part, the following are types of allocations:

1. Foundation allocation.
2. Special education allocation.
3. Language allocation.
4. Small schools allocation.
5. Remote and rural allocation.
6. Learning opportunity allocation.
7. Summer school remedial allocation.
8. Adult education, continuing education and summer school allocation.
9. Teacher compensation allocation.
10. Early learning allocation.
11. Transportation allocation.
12. Administration and governance allocation.
13. Pupil accommodation allocation.
14. Debt charges allocation.

(2) Si le conseil contrevient à une loi dont l'application relève du ministre ou à un texte pris en application d'une telle loi, notamment un règlement, une politique, une ligne directrice ou une directive, le ministre peut retenir tout ou partie de la subvention qui lui est payable par ailleurs aux termes de la Loi jusqu'à ce qu'il prenne les mesures nécessaires pour remédier à la situation.

8. (1) Si un ancien conseil a reçu une somme supérieure à celle qui lui était payable aux termes d'un règlement sur les subventions générales, l'excédent est déduit des subventions payables aux termes du présent règlement au conseil désigné et au conseil secondé qui lui sont rattachés, conformément aux facteurs de répartition pertinents établis aux termes des directives que la Commission d'amélioration de l'éducation a publiées en septembre 1997 sous le titre de «Directives pour la répartition de l'actif et du passif des conseils existants parmi les conseils scolaires de district».

(2) Si un conseil a reçu une somme supérieure à celle qui lui était payable aux termes d'un règlement sur les subventions générales, l'excédent est déduit des subventions qui lui sont payables aux termes du présent règlement.

9. (1) Si un ancien conseil a reçu une somme inférieure à celle qui lui était payable aux termes d'un règlement sur les subventions générales, la différence est ajoutée aux subventions payables aux termes du présent règlement au conseil désigné et au conseil secondé qui lui sont rattachés, conformément aux facteurs de répartition pertinents établis aux termes des directives que la Commission d'amélioration de l'éducation a publiées en septembre 1997 sous le titre de «Directives pour la répartition de l'actif et du passif des conseils existants parmi les conseils scolaires de district».

(2) Si un conseil a reçu une somme inférieure à celle qui lui était payable aux termes d'un règlement sur les subventions générales, la différence est ajoutée aux subventions qui lui sont payables aux termes du présent règlement.

PARTIE II SUBVENTIONS EN FAVEUR DES CONSEILS SCOLAIRES DE DISTRICT

DROIT AUX SUBVENTIONS

10. (1) Pour l'application de la présente partie, les éléments d'une subvention sont les suivants :

1. Éducation de base.
2. Éducation de l'enfance en difficulté.
3. Enseignement des langues.
4. Petites écoles.
5. Conseils ruraux et éloignés.
6. Programmes d'aide à l'apprentissage.
7. Cours d'été de rattrapage.
8. Éducation des adultes, éducation permanente et cours d'été.
9. Rémunération des enseignants.
10. Apprentissage durant les premières années d'études.
11. Transport des élèves.
12. Administration et gestion.
13. Installations d'accueil pour les élèves.
14. Service de la dette.

(2) For the purposes of this Part, an old board is a predecessor of a district school board if the district school board is listed in Column 2 or 3 of Schedule 1 to Ontario Regulation 460/97, opposite the old board listed in Column 1 of that Schedule.

11. A district school board shall be paid a grant in an amount determined as follows:

1. Determine the 1999-2000 tax revenue of the board, in accordance with section 12.
2. Determine the amount of each type of allocation for the board, in accordance with sections 13 to 39.
3. Total the amounts determined for the board under paragraph 2.
4. Adjust the amount determined under paragraph 3 in accordance with section 40.
5. Add the stable funding guarantee amount, if any, determined for the board under section 48.
6. Deduct the amount determined under paragraph 1 for the board from the amount determined under paragraph 5 for the board.
7. Deduct the fees revenue received by the board under section 4 of the 1999-2000 fees regulation.
8. Deduct the amount that is in the board's reserve fund under subsection 233 (1) of the Act on August 31, 2000, immediately before the transfer under subsection 233 (2) of the Act.
9. Add the total of the amounts payable to the board for capital projects under section 49.

1999-2000 TAX REVENUE OF A DISTRICT SCHOOL BOARD

12. (1) For the purposes of paragraph 1 of section 11, the 1999-2000 tax revenue of a district school board shall be determined as follows:

1. Add,
 - i. 38 per cent of the total of the amounts distributed to the board in respect of the 1999 calendar year under subsections 237 (12) and 238 (2), section 239, subsection 240 (5), sections 250 and 251 and subsections 257.8 (2) and 257.9 (1) of the Act, under sections 447.20 and 447.52 of the *Municipal Act* and under section 10 of Ontario Regulation 509/98,
 - ii. 62 per cent of the total of the amounts distributed to the board in respect of the 2000 calendar year under subsections 237 (12) and 238 (2), section 239, subsection 240 (5), sections 250 and 251 and subsections 257.8 (2) and 257.9 (1) of the Act, under sections 447.20 and 447.52 of the *Municipal Act* and under section 10 of Ontario Regulation 509/98,
 - iii. 38 per cent of the amounts, if any, received by the board in respect of the 1999 calendar year from a municipality under subsection 445 (4) of the *Municipal Act*,
 - iv. 62 per cent of the amounts, if any, received by the board in respect of the 2000 calendar year from a municipality under subsection 445 (4) of the *Municipal Act*,
 - v. the total of the taxes received by the board in respect of the 1999 calendar year under section 35 of the *Assessment Act*,
 - vi. 38 per cent of the payments in lieu of taxes distributed to the board in respect of the 1999 calendar year under subsection 371.1 (1) of the *Municipal Act*,

(2) Pour l'application de la présente partie, un ancien conseil est remplacé par un conseil scolaire de district si ce dernier est mentionné dans la colonne 2 ou 3 de l'annexe 1 du Règlement de l'Ontario 460/97, en regard de l'ancien conseil qui est mentionné dans la colonne 1 de cette annexe.

11. Un conseil scolaire de district reçoit une subvention calculée de la manière suivante :

1. Calculer les recettes fiscales de 1999-2000 du conseil conformément à l'article 12.
2. Calculer chaque élément pour le conseil conformément aux articles 13 à 39.
3. Additionner les sommes calculées pour le conseil aux termes de la disposition 2.
4. Redresser la somme calculée aux termes de la disposition 3, conformément à l'article 40.
5. Ajouter la somme éventuelle liée au financement stable garanti, calculée aux termes de l'article 48, pour le conseil.
6. Déduire la somme calculée aux termes de la disposition 1 pour le conseil de la somme calculée aux termes de la disposition 5 pour le conseil.
7. Déduire les droits reçus par le conseil aux termes de l'article 4 du règlement sur les droits de 1999-2000.
8. Déduire la somme visée au paragraphe 233 (1) de la Loi qui se trouve dans le fonds de réserve du conseil le 31 août 2000, immédiatement avant le virement prévu au paragraphe 233 (2) de la Loi.
9. Ajouter le total des sommes payables au conseil au titre des projets d'immobilisations aux termes de l'article 49.

RECETTES FISCALES DE 1999-2000 DES CONSEILS SCOLAIRES DE DISTRICT

12. (1) Pour l'application de la disposition 1 de l'article 11, les recettes fiscales de 1999-2000 d'un conseil scolaire de district sont calculées de la manière suivante :

1. Additionner ce qui suit :
 - i. 38 pour cent du total des sommes remises au conseil à l'égard de l'année civile 1999 aux termes des paragraphes 237 (12) et 238 (2), de l'article 239, du paragraphe 240 (5), des articles 250 et 251 et des paragraphes 257.8 (2) et 257.9 (1) de la Loi, des articles 447.20 et 447.52 de la *Loi sur les municipalités* et de l'article 10 du Règlement de l'Ontario 509/98,
 - ii. 62 pour cent du total des sommes remises au conseil à l'égard de l'année civile 2000 aux termes des paragraphes 237 (12) et 238 (2), de l'article 239, du paragraphe 240 (5), des articles 250 et 251 et des paragraphes 257.8 (2) et 257.9 (1) de la Loi, des articles 447.20 et 447.52 de la *Loi sur les municipalités* et de l'article 10 du Règlement de l'Ontario 509/98,
 - iii. 38 pour cent des sommes éventuelles que le conseil reçoit à l'égard de l'année civile 1999 d'une municipalité aux termes du paragraphe 445 (4) de la *Loi sur les municipalités*,
 - iv. 62 pour cent des sommes éventuelles que le conseil reçoit à l'égard de l'année civile 2000 d'une municipalité aux termes du paragraphe 445 (4) de la *Loi sur les municipalités*,
 - v. le total des impôts que le conseil reçoit à l'égard de l'année civile 1999 aux termes de l'article 35 de la *Loi sur l'évaluation foncière*,
 - vi. 38 pour cent des paiements tenant lieu d'impôts remis au conseil à l'égard de l'année civile 1999 en vertu du paragraphe 371.1 (1) de la *Loi sur les municipalités*,

- vii. 62 per cent of the payments in lieu of taxes distributed to the board in respect of the 2000 calendar year under subsection 371.1 (1) of the *Municipal Act*,
 - viii. 38 per cent of the amounts, if any, received by the board in respect of the 1999 calendar year under the *Municipal Grants Act* (Canada) or under any Act of Canada that permits a payment to be made by a government or a government agency in lieu of taxes on real property,
 - ix. 62 per cent of the amounts, if any, received by the board in respect of the 2000 calendar year under the *Municipal Grants Act* (Canada) or under any Act of Canada that permits a payment to be made by a government or a government agency in lieu of taxes on real property,
 - x. the total of the amounts, if any, distributed to the board in the 1999-2000 fiscal year under subsection 2 (2) of Ontario Regulation 365/98, and
 - xi. the total of the amounts, if any, paid to the board in the 1999-2000 fiscal year under clause 3 (1) (a) of Ontario Regulation 366/98.
2. Deduct the cost incurred in the 1999-2000 fiscal year by the board under section 257.7 of the Act in collecting taxes for school purposes in territory without municipal organization, to a maximum of 2 per cent of the sum of,
- i. 38 per cent of the total amount of taxes levied by it for 1999 for school purposes in territory without municipal organization, and
 - ii. 62 per cent of the total amount of taxes levied by it for 2000 for school purposes in territory without municipal organization.
3. Deduct an amount approved by the Minister in respect of,
- i. costs additional to those deducted under paragraph 2 that are incurred in the 1999-2000 fiscal year by the board under section 257.7 of the Act in collecting taxes for school purposes in territory without municipal organization, and
 - ii. costs that are incurred in the 1999-2000 fiscal year by the board under section 21.1 of the *Provincial Land Tax Act* in collecting taxes in territory without municipal organization.
4. Deduct the amounts charged to the board in the 1999 calendar year by a municipal council under section 421 of the *Municipal Act*, including amounts charged under that section as a result of private legislation.
5. Deduct the total of the amounts paid as rebates by the board under section 257.2.1 of the Act in the 1999-2000 fiscal year.
6. Deduct 38 per cent of the total of the amounts, if any, paid by the board in respect of the 1999 calendar year under subsections 442.1 (7) and 442.2 (8.1) of the *Municipal Act*.
7. Deduct 62 per cent of the total of the amounts, if any, paid by the board in respect of the 2000 calendar year under subsections 442.1 (7) and 442.2 (8.1) of the *Municipal Act*.
- (2) Amounts, if any, paid by the Minister to the board in respect of the 1999 calendar year under section 257.11 of the Act shall be deemed to be amounts distributed to the board in respect of the 1999 calendar year under a provision of the Act referred to in subparagraph i of paragraph 1 of subsection (1).
- vii. 62 pour cent des paiements tenant lieu d'impôts remis au conseil à l'égard de l'année civile 2000 en vertu du paragraphe 371.1 (1) de la *Loi sur les municipalités*,
 - viii. 38 pour cent des sommes éventuelles que le conseil reçoit à l'égard de l'année civile 1999 en vertu de la *Loi sur les subventions aux municipalités* (Canada) ou en vertu de toute loi du Canada qui autorise un gouvernement ou un organisme gouvernemental à effectuer un paiement tenant lieu d'impôts sur des biens immeubles,
 - ix. 62 pour cent des sommes éventuelles que le conseil reçoit à l'égard de l'année civile 2000 en vertu de la *Loi sur les subventions aux municipalités* (Canada) ou en vertu de toute loi du Canada qui autorise un gouvernement ou un organisme gouvernemental à effectuer un paiement tenant lieu d'impôts sur des biens immeubles,
 - x. le total des sommes éventuelles qui ont été remises au conseil au cours de l'exercice 1999-2000 aux termes du paragraphe 2 (2) du Règlement de l'Ontario 365/98,
 - xi. le total des sommes éventuelles qui ont été versées au conseil au cours de l'exercice 1999-2000 aux termes de l'alinéa 3 (1) a) du Règlement de l'Ontario 366/98.
2. Déduire les frais de perception des impôts scolaires dans un territoire non érigé en municipalité qu'engage le conseil pendant l'exercice 1999-2000 aux termes de l'article 257.7 de la Loi, jusqu'à concurrence de 2 pour cent de la somme de ce qui suit :
- i. 38 pour cent du total des impôts scolaires qu'il a prélevés pour 1999 dans un tel territoire,
 - ii. 62 pour cent du total des impôts scolaires qu'il a prélevés pour 2000 dans un tel territoire.
3. Déduire la somme que le ministre approuve à l'égard de ce qui suit :
- i. les frais qui s'ajoutent aux frais de perception des impôts scolaires dans un territoire non érigé en municipalité, déduits aux termes de la disposition 2, qu'engage le conseil pendant l'exercice 1999-2000 aux termes de l'article 257.7 de la Loi,
 - ii. les frais de perception des impôts dans un territoire non érigé en municipalité qu'engage le conseil pendant l'exercice 1999-2000 aux termes de l'article 21.1 de la *Loi sur l'impôt foncier provincial*.
4. Déduire les sommes qu'un conseil municipal a exigées du conseil pendant l'année civile 1999 aux termes de l'article 421 de la *Loi sur les municipalités*, y compris les sommes exigées aux termes de cet article par suite d'une loi d'intérêt privé.
5. Déduire le total des remises que le conseil accorde aux termes de l'article 257.2.1 de la Loi pendant l'exercice 1999-2000.
6. Déduire 38 pour cent du total des sommes éventuelles que le conseil verse à l'égard de l'année civile 1999 aux termes des paragraphes 442.1 (7) et 442.2 (8.1) de la *Loi sur les municipalités*.
7. Déduire 62 pour cent du total des sommes éventuelles que le conseil verse à l'égard de l'année civile 2000 aux termes des paragraphes 442.1 (7) et 442.2 (8.1) de la *Loi sur les municipalités*.
- (2) Les sommes éventuelles que le ministre verse au conseil à l'égard de l'année civile 1999 aux termes de l'article 257.11 de la Loi sont réputées des sommes remises au conseil à l'égard de l'année civile 1999 aux termes d'une disposition de la Loi visée à la sous-disposition i de la disposition 1 du paragraphe (1).

(3) Amounts, if any, paid by the Minister to the board in respect of the 2000 calendar year under section 257.11 of the Act shall be deemed to be amounts distributed to the board in respect of the 2000 calendar year under a provision of the Act referred to in subparagraph ii of paragraph 1 of subsection (1).

FOUNDATION ALLOCATION

13. For the purposes of paragraph 2 of section 11, the amount of the foundation allocation for a district school board shall be determined as follows:

1. Take the 1999-2000 day school average daily enrolment of elementary school pupils of the board.
2. Multiply the number determined under paragraph 1 by \$3,367.
3. Take the 1999-2000 day school average daily enrolment of secondary school pupils of the board.
4. Multiply the number determined under paragraph 3 by \$3,953.
5. Total the products obtained under paragraphs 2 and 4.

SPECIAL EDUCATION ALLOCATION

14. For the purposes of paragraph 2 of section 11, the amount of the special education allocation for a district school board shall be determined as follows:

1. Determine the enrolment-based special education amount for the board, in accordance with section 15.
2. Determine the equipment ISA for the board, in accordance with section 16.
3. Determine the program ISA for the board, in accordance with section 18.
4. Determine the programs in facilities amount for the board, in accordance with section 19.
5. Total the amounts determined under paragraphs 1 to 4.

15. For the purposes of paragraph 1 of section 14, the enrolment-based special education amount for the board shall be determined as follows:

1. Take the 1999-2000 day school average daily enrolment of elementary school pupils of the board.
2. Multiply the number determined under paragraph 1 by \$362.
3. Take the 1999-2000 day school average daily enrolment of secondary school pupils of the board.
4. Multiply the number determined under paragraph 3 by \$229.
5. Total the amounts determined under paragraphs 2 and 4.

16. (1) For the purposes of subsection (2), an equipment ISA claim for a pupil of a board is an approved equipment ISA claim for the pupil if,

- (a) the board has designated the pupil as an ISA level 1 pupil in accordance with the Ministry publication entitled "Resource Manual for the Special Education Grant Intensive Support Amount (ISA)", dated March 17, 1999;

(3) Les sommes éventuelles que le ministre verse au conseil à l'égard de l'année civile 2000 aux termes de l'article 257.11 de la Loi sont réputées des sommes remises au conseil à l'égard de l'année civile 2000 aux termes d'une disposition de la Loi visée à la sous-disposition ii de la disposition 1 du paragraphe (1).

ÉLÉMENT ÉDUCATION DE BASE

13. Pour l'application de la disposition 2 de l'article 11, l'élément éducation de base d'un conseil scolaire de district est calculé de la manière suivante :

1. Prendre l'effectif quotidien moyen de jour des élèves de l'élémentaire du conseil pour 1999-2000.
2. Multiplier le nombre obtenu aux termes de la disposition 1 par 3 367 \$.
3. Prendre l'effectif quotidien moyen de jour des élèves du secondaire du conseil pour 1999-2000.
4. Multiplier le nombre obtenu aux termes de la disposition 3 par 3 953 \$.
5. Additionner les produits obtenus aux termes des dispositions 2 et 4.

ÉLÉMENT ÉDUCATION DE L'ENFANCE EN DIFFICULTÉ

14. Pour l'application de la disposition 2 de l'article 11, l'élément éducation de l'enfance en difficulté d'un conseil scolaire de district est calculé de la manière suivante :

1. Calculer la somme liée à l'éducation de l'enfance en difficulté fondée sur l'effectif pour le conseil, conformément à l'article 15.
2. Calculer l'AAS liée au matériel pour le conseil, conformément à l'article 16.
3. Calculer l'AAS liée aux programmes pour le conseil, conformément à l'article 18.
4. Calculer la somme liée aux programmes dispensés dans des établissements pour le conseil, conformément à l'article 19.
5. Additionner les sommes calculées aux termes des dispositions 1 à 4.

15. Pour l'application de la disposition 1 de l'article 14, la somme liée à l'éducation de l'enfance en difficulté fondée sur l'effectif pour le conseil est calculée de la manière suivante :

1. Prendre l'effectif quotidien moyen de jour des élèves de l'élémentaire du conseil pour 1999-2000.
2. Multiplier le nombre calculé aux termes de la disposition 1 par 362 \$.
3. Prendre l'effectif quotidien moyen de jour des élèves du secondaire du conseil pour 1999-2000.
4. Multiplier le nombre calculé aux termes de la disposition 3 par 229 \$.
5. Additionner les sommes calculées aux termes des dispositions 2 et 4.

16. (1) Pour l'application du paragraphe (2), une demande d'AAS liée au matériel visant un élève d'un conseil est approuvée si les conditions suivantes sont réunies :

- a) le conseil a désigné l'élève comme élève admissible à une AAS de niveau 1 conformément à la publication du 17 mars 1999 du ministère intitulée «Manuel — Lignes directrices et instructions à l'intention des conseils scolaires de district qui préparent une demande d'allocation»;

(b) the board has made an ISA level 1 claim for expenditures in excess of \$800 for special equipment for the pupil, in accordance with the Ministry publication entitled "Resource Manual for the Special Education Grant Intensive Support Amount (ISA)", dated March 17, 1999; and

(c) the Minister has approved the designation referred to in clause (a) and the claim referred to in clause (b).

(2) For the purposes of paragraph 2 of section 14, the equipment ISA for a board shall be calculated by totalling the approved equipment ISA claims for pupils of the board.

17. For the purposes of section 18, a special incidence ISA claim for a pupil of a board is an approved special incidence ISA claim for the pupil if,

(a) the pupil was a pupil approved for ISA level 3 funding for the purposes of section 18 of Ontario Regulation 287/98;

(b) the board has designated the pupil as requiring special incidence funding in accordance with the Ministry publication entitled "Resource Manual for the Special Education Grant Intensive Support Amount (ISA)", dated March 17, 1999;

(c) the board has made a special incidence ISA claim not exceeding \$27,000 for the pupil, in accordance with the Ministry publication entitled "Resource Manual for the Special Education Grant Intensive Support Amount (ISA)", dated March 17, 1999; and

(d) the Minister has approved the designation referred to in clause (b) and the claim referred to in clause (c).

18. For the purposes of paragraph 3 of section 14, the program ISA for a board is the total of,

(a) the program ISA determined for the board under section 17 of Ontario Regulation 287/98, as adjusted, where applicable, under section 20 of that Regulation; and

(b) the total of the approved special incidence ISA claims for pupils of the board.

19. (1) For the purposes of paragraph 4 of section 14, the programs in facilities amount for a board is the total of the amounts determined under this section for each education program provided by the board in a facility described or named in subsection (2) where,

(a) the facility is located within the area of jurisdiction of the board;

(b) the board employs a teacher to provide the education program;

(c) no education program is provided by any Ministry in the facility;

(d) the board has entered into a written agreement with the facility setting out,

(i) the responsibilities of the facility for the provision of accommodation, and

(ii) the responsibilities of the board for the provision of the education program, including the number of teachers to be employed by the board for the purposes of the program; and

b) le conseil a présenté une demande d'AAS de niveau 1 à l'égard des dépenses en matériel spécial destiné à l'élève qui dépassent 800 \$, conformément à la publication du 17 mars 1999 du ministère intitulée «Manuel — Lignes directrices et instructions à l'intention des conseils scolaires de district qui préparent une demande d'allocation»;

c) le ministre a approuvé la désignation visée à l'alinéa a) et la demande visée à l'alinéa b).

(2) Pour l'application de la disposition 2 de l'article 14, l'AAS liée au matériel pour un conseil est calculée en additionnant les demandes d'AAS liées au matériel approuvées à l'égard des élèves du conseil.

17. Pour l'application de l'article 18, une demande d'AAS pour cas spéciaux visant un élève d'un conseil est approuvée si les conditions suivantes sont réunies :

a) l'élève était un élève approuvé à l'égard d'une AAS de niveau 3 pour l'application de l'article 18 du Règlement de l'Ontario 287/98;

b) le conseil a désigné l'élève comme élève exigeant une aide financière pour cas spéciaux, conformément à la publication du 17 mars 1999 du ministère intitulée «Manuel — Lignes directrices et instructions à l'intention des conseils scolaires de district qui préparent une demande d'allocation»;

c) le conseil a présenté, à l'égard de l'élève, une demande d'AAS pour cas spéciaux qui n'est pas supérieure à 27 000 \$, conformément à la publication du 17 mars 1999 du ministère intitulée «Manuel — Lignes directrices et instructions à l'intention des conseils scolaires de district qui préparent une demande d'allocation»;

d) le ministre a approuvé la désignation visée à l'alinéa b) et la demande visée à l'alinéa c).

18. Pour l'application de la disposition 3 de l'article 14, l'AAS liée aux programmes pour un conseil correspond au total de ce qui suit :

a) l'AAS liée aux programmes calculée pour le conseil aux termes de l'article 17 du Règlement de l'Ontario 287/98, redressée le cas échéant aux termes de l'article 20 du même règlement;

b) le total des demandes d'AAS pour cas spéciaux approuvées à l'égard des élèves du conseil.

19. (1) Pour l'application de la disposition 4 de l'article 14, la somme liée aux programmes dispensés dans des établissements pour un conseil correspond au total des sommes calculées aux termes du présent article pour chaque programme d'enseignement qu'il dispense dans un établissement visé ou désigné au paragraphe (2) si les conditions suivantes sont réunies :

a) l'établissement est situé dans le territoire de compétence du conseil;

b) le conseil emploie un enseignant pour dispenser le programme d'enseignement;

c) aucun ministère n'offre de programme d'enseignement dans l'établissement;

d) le conseil a conclu avec l'établissement une entente écrite qui précise :

(i) d'une part, les responsabilités de l'établissement en ce qui concerne la fourniture de facilités d'accueil,

(ii) d'autre part, les responsabilités du conseil en ce qui concerne la prestation du programme d'enseignement, notamment le nombre d'enseignants qu'il doit employer aux fins du programme;

(c) the Minister,

- (i) is satisfied that the agreement referred to in clause (d) adequately sets out the responsibilities of the board and the facility,
- (ii) has approved the board's staffing plan for the program, and
- (iii) is satisfied that there is a need for the provision of such a program by the board in the facility.

(2) The following are facilities for the purposes of this section:

1. A psychiatric facility.
2. An approved charitable institution as defined in the *Charitable Institutions Act*.
3. An agency approved under subsection 8 (1) of the *Child and Family Services Act*.
4. An approved home as defined in the *Homes for Retarded Persons Act*.
5. A place of temporary detention, open custody or secure custody continued or established under section 89 of the *Child and Family Services Act*.
6. A home for special care licensed under the *Homes for Special Care Act*.
7. A facility classified as a Group K Hospital under the *Public Hospitals Act*.
8. The Hospital for Sick Children, in Toronto.
9. The Children's Hospital of Eastern Ontario, in Ottawa.
10. The London Health Sciences Centre, in London.
11. The Lyndhurst Hospital.
12. A hospital in which an education program was discontinued after December 31, 1980 as a result of the dissolution of a board established under section 68 of the Act.
13. A nursing home approved or licensed under the *Nursing Homes Act*.
14. A correctional institution as defined in the *Ministry of Correctional Services Act*.
15. A place of secure or open custody or a place of temporary detention designated for the purposes of the *Young Offenders Act* (Canada).

(3) Subject to subsections (5) and (7), the amount for an education program referred to in subsection (1) shall be determined as follows:

1. Determine the expenditure of the board in the 1999-2000 fiscal year for salary and employee benefits of teachers employed by the board to provide the program. The amount determined under this paragraph shall not exceed the amount that could be expended by the board for salary and employee benefits of teachers under the staffing plan referred to in clause (1) (e).
2. Multiply the number of full-time equivalent teachers employed by the board to provide the program by \$2,500. For the purposes of this paragraph, the counting practices usually followed by the board for staffing purposes shall be followed.

e) le ministre :

- (i) est convaincu que l'entente visée à l'alinéa d) précise adéquatement les responsabilités du conseil et de l'établissement,
- (ii) a approuvé le plan de dotation élaboré par le conseil à l'égard du programme,
- (iii) est convaincu qu'il est nécessaire que le conseil dispense un tel programme dans l'établissement.

(2) Les établissements suivants sont des établissements pour l'application du présent article :

1. Les établissements psychiatriques.
2. Les établissements de bienfaisance agréés au sens de la *Loi sur les établissements de bienfaisance*.
3. Les agences agréées en vertu du paragraphe 8 (1) de la *Loi sur les services à l'enfance et à la famille*.
4. Les foyers agréés au sens de la *Loi sur les foyers pour déficients mentaux*.
5. Les lieux de détention provisoire, de garde en milieu ouvert ou de garde en milieu fermé maintenus ou mis sur pied en vertu de l'article 89 de la *Loi sur les services à l'enfance et à la famille*.
6. Les foyers de soins spéciaux titulaires d'un permis en vertu de la *Loi sur les foyers de soins spéciaux*.
7. Les établissements classés comme hôpitaux du groupe K aux termes de la *Loi sur les hôpitaux publics*.
8. L'hôpital de Toronto appelé Hospital for Sick Children.
9. L'Hôpital pour enfants de l'est de l'Ontario d'Ottawa.
10. L'hôpital de London appelé London Health Sciences Centre.
11. L'hôpital appelé Lyndhurst Hospital.
12. Les hôpitaux dans lesquels un programme d'enseignement n'est plus dispensé depuis le 31 décembre 1980 par suite de la dissolution d'un conseil créé en vertu de l'article 68 de la Loi.
13. Les maisons de soins infirmiers agréées ou titulaires d'un permis en vertu de la *Loi sur les maisons de soins infirmiers*.
14. Les établissements correctionnels au sens de la *Loi sur le ministère des Services correctionnels*.
15. Les lieux de garde en milieu fermé ou en milieu ouvert ou les lieux de détention provisoire désignés pour l'application de la *Loi sur les jeunes contrevenants* (Canada).

(3) Sous réserve des paragraphes (5) et (7), la somme liée à un programme d'enseignement visée au paragraphe (1) est calculée de la manière suivante :

1. Calculer les dépenses que le conseil a engagées au cours de l'exercice 1999-2000 au titre des salaires et des avantages sociaux des enseignants qu'il emploie pour dispenser le programme. La somme calculée aux termes de la présente disposition ne doit pas dépasser celle qu'il pourrait engager au titre des salaires et des avantages sociaux des enseignants dans le cadre du plan de dotation visé à l'alinéa (1) e).
2. Multiplier le nombre d'enseignants à temps plein ou l'équivalent que le conseil emploie pour dispenser le programme par 2 500 \$. Pour l'application de la présente disposition, le dénombrement se fait selon les méthodes qu'il utilise habituellement aux fins de la dotation.

3. Determine the expenditure of the board in the 1999-2000 fiscal year for salary and employee benefits of teacher assistants employed by the board to assist teachers in providing the program. The amount determined under this paragraph shall not exceed the amount that could be expended by the board for salary and employee benefits of teacher assistants under the staffing plan referred to in clause (1) (e).
 4. Multiply the number of full-time equivalent teacher assistants employed by the board to assist teachers in providing the program by \$1,220. For the purposes of this paragraph, the counting practices usually followed by the board for staffing purposes shall be followed.
 5. Determine the expenditure of the board in the 1999-2000 fiscal year for the purchase of furniture or equipment for any classroom used in the program. The amount determined for a classroom under this paragraph, added to the total of any amounts received under any predecessor of this paragraph for the classroom, shall not exceed \$3,300.
 6. Total the amounts determined under paragraphs 1 to 5.
- (4) Subsection (5) applies where,
- (a) the circumstances described in clauses (1) (a) to (e) apply; and
 - (b) the education program was previously provided in the facility by the Ministry.
- (5) Subject to subsection (7), in the circumstances described in subsection (4), the amount referred to in subsection (1) shall be an amount equal to the cost for the program that is proposed by the board and approved by the Minister, instead of the amount determined under subsection (3).
- (6) In giving approvals under clause (1) (e) and subsection (5), the Minister shall ensure that the total of the amounts calculated for all boards under subsections (1) to (5) does not exceed \$67 million.
- (7) The amount determined for an education program under subsection (3) or (5) shall be reduced by the amount specified by the Minister under subsection (8) if the program,
- (a) operates on a smaller scale than was projected in the materials submitted by the board for consideration by the Minister for the purposes of clause (1) (e);
 - (b) does not operate during the 1999-2000 school year; or
 - (c) ceases to operate during the 1999-2000 school year.
- (8) For the purposes of subsection (7), the Minister shall specify an amount, if any, that in his or her opinion is appropriate having regard to the reasonable costs of the board in connection with the program.
20. (1) Subsection (2) applies where an ISA level 1 claim has been approved for one board under section 16 or under a predecessor of section 16 in respect of a pupil and the pupil enrolls in a school operated by a second board during the 1999-2000 fiscal year.
- (2) The equipment for which the ISA level 1 claim was approved shall move with the pupil from the first board to the second board, unless in the opinion of the second board moving the equipment is not practical.
- (3) Subsection (4) applies where an ISA level 1 claim has been approved for one board under section 16 in respect of a pupil and the pupil enrolls in a school operated by a second board during the 1999-2000 fiscal year.
3. Calculer les dépenses que le conseil a engagées au cours de l'exercice 1999-2000 au titre des salaires et des avantages sociaux des aides-enseignants qu'il emploie pour aider les enseignants à dispenser le programme. La somme calculée aux termes de la présente disposition ne doit pas dépasser celle qu'il pourrait engager au titre des salaires et des avantages sociaux des aides-enseignants dans le cadre du plan de dotation visé à l'alinéa (1) e).
 4. Multiplier le nombre d'aides-enseignants à temps plein ou l'équivalent que le conseil emploie pour aider les enseignants à dispenser le programme par 1 220 \$. Pour l'application de la présente disposition, le dénombrement se fait selon les méthodes qu'il utilise habituellement aux fins de la dotation.
 5. Calculer les dépenses que le conseil a engagées au cours de l'exercice 1999-2000 pour acheter des meubles ou du matériel pour les salles de classe utilisées dans le cadre du programme. Le total de la somme calculée pour une salle de classe aux termes de la présente disposition et du total des sommes reçues à l'égard de cette classe aux termes de toute disposition que remplace la présente disposition ne doit pas dépasser 3 300 \$.
 6. Additionner les sommes calculées aux termes des dispositions 1 à 5.
- (4) Le paragraphe (5) s'applique si les conditions suivantes sont réunies :
- a) les circonstances visées aux alinéas (1) a) à e) s'appliquent;
 - b) le ministère offrait auparavant le programme d'enseignement dans l'établissement.
- (5) Sous réserve du paragraphe (7), dans les circonstances visées au paragraphe (4), la somme visée au paragraphe (1) est égale au coût du programme que propose le conseil et qu'approuve le ministre plutôt qu'à la somme calculée aux termes du paragraphe (3).
- (6) Lorsqu'il donne les approbations visées à l'alinéa (1) e) et au paragraphe (5), le ministre veille à ce que le total des sommes calculées pour tous les conseils aux termes des paragraphes (1) à (5) ne dépasse pas 67 millions de dollars.
- (7) La somme calculée pour un programme d'enseignement aux termes du paragraphe (3) ou (5) est réduite de la somme que précise le ministre aux termes du paragraphe (8) si le programme, selon le cas :
- a) a une envergure moins grande que ne le prévoit la documentation que le conseil soumet à l'examen du ministre pour l'application de l'alinéa (1) e);
 - b) n'est pas dispensé pendant l'année scolaire 1999-2000;
 - c) cesse d'être dispensé pendant l'année scolaire 1999-2000.
- (8) Pour l'application du paragraphe (7), le ministre précise la somme éventuelle qui, à son avis, est indiquée compte tenu des frais raisonnables que le conseil engage à l'égard du programme.
20. (1) Le paragraphe (2) s'applique si une demande d'AAS de niveau 1 a été approuvée pour un conseil aux termes de l'article 16 ou d'une disposition qu'il remplace à l'égard d'un élève qui s'inscrit à une école qui relève d'un second conseil pendant l'exercice 1999-2000.
- (2) Le matériel à l'égard duquel la demande d'AAS de niveau 1 a été approuvée suit l'élève du premier conseil au second conseil, sauf si ce dernier est d'avis qu'il n'est pas pratique de déménager le matériel.
- (3) Le paragraphe (4) s'applique si une demande d'AAS de niveau 1 a été approuvée pour un conseil aux termes de l'article 16 à l'égard d'un élève qui s'inscrit à une école qui relève d'un second conseil pendant l'exercice 1999-2000.

(4) Any unspent part of the ISA level 1 claim amount approved in respect of the pupil shall be deducted from the amount determined under subsection 16 (2) for the first board and added to the amount determined under subsection 16 (2) for the second board.

(5) Subsection (6) applies where a pupil,

- (a) was a pupil approved for ISA level 2 or level 3 funding for the purposes of section 18 of Ontario Regulation 287/98;
- (b) was enrolled in a school operated by a board at the end of 1998-1999 school year; and
- (c) becomes enrolled in a school operated by a different board after the end of the 1998-1999 school year.

(6) The amount calculated under section 18 for the board referred to in clause (5) (b) shall be reduced and the amount calculated under section 18 for the board referred to in clause (5) (c) shall be correspondingly increased to the extent, if any, that the Minister considers appropriate having regard to the costs of the boards in the 1999-2000 fiscal year in connection with providing the pupil's special education program.

(7) This section applies with necessary modifications in respect of second and subsequent moves from one board to another by a pupil.

LANGUAGE ALLOCATION—ENGLISH-LANGUAGE DISTRICT SCHOOL BOARDS

21. For the purposes of paragraph 2 of section 11, the amount of the language allocation for an English-language district school board shall be determined as follows:

- 1. Determine the French as a second language amount for the board, in accordance with section 22.
- 2. Determine the Native language amount for the board, in accordance with section 23.
- 3. Determine the ESL/ESD amount for the board, in accordance with section 24.
- 4. Total the amounts determined under paragraphs 1, 2 and 3.

22. (1) For the purposes of paragraph 1 of section 21, the French as a second language amount for the board shall be determined as follows:

- 1. Determine the French as a second language amount for elementary school pupils of the board, in accordance with subsection (3).
- 2. Determine the French as a second language amount for secondary school pupils of the board, in accordance with subsection (5).
- 3. Total the amounts determined under paragraphs 1 and 2.

(2) In subsection (3),

“instruction in French” means instruction in the subject of French or instruction in any other subject if the language of instruction is French.

(3) For the purposes of paragraph 1 of subsection (1), the French as a second language amount for elementary school pupils of the board shall be determined as follows:

(4) Toute fraction non dépensée de la demande d'AAS de niveau 1 approuvée à l'égard de l'élève est déduite de la somme calculée aux termes du paragraphe 16 (2) pour le premier conseil et est ajoutée à la somme calculée aux termes du même paragraphe pour le second conseil.

(5) Le paragraphe (6) s'applique si l'élève réunit les conditions suivantes :

- a) il était un élève approuvé à l'égard d'une AAS de niveau 2 ou de niveau 3 pour l'application de l'article 18 du Règlement de l'Ontario 287/98;
- b) il était inscrit à une école qui relevait d'un conseil à la fin de l'année scolaire 1998-1999;
- c) il s'inscrit à une école qui relève d'un conseil différent après la fin de l'année scolaire 1998-1999.

(6) La somme calculée aux termes de l'article 18 pour le conseil visé à l'alinéa (5) b) est réduite dans la proportion éventuelle que le ministre estime indiquée compte tenu des frais que les deux conseils engagent pendant l'exercice 1999-2000 relativement au programme d'enseignement à l'enfance en difficulté dispensé à l'élève, et la somme calculée aux termes du même article pour le conseil visé à l'alinéa (5) c) est augmentée dans la même proportion.

(7) Le présent article s'applique, avec les adaptations nécessaires, à l'égard de tous les transferts successifs d'un élève d'un conseil à un autre.

ÉLÉMENT ENSEIGNEMENT DES LANGUES — CONSEILS SCOLAIRES DE DISTRICT DE LANGUE ANGLAISE

21. Pour l'application de la disposition 2 de l'article 11, l'élément enseignement des langues pour un conseil scolaire de district de langue anglaise est calculé de la manière suivante :

- 1. Calculer la somme liée aux programmes de français langue seconde pour le conseil, conformément à l'article 22.
- 2. Calculer la somme liée aux programmes de langue autochtone pour le conseil, conformément à l'article 23.
- 3. Calculer la somme liée aux programmes d'ESL/ESD pour le conseil, conformément à l'article 24.
- 4. Additionner les sommes calculées aux termes des dispositions 1, 2 et 3.

22. (1) Pour l'application de la disposition 1 de l'article 21, la somme liée aux programmes de français langue seconde pour le conseil est calculée de la manière suivante :

- 1. Calculer la somme liée aux programmes de français langue seconde pour les élèves de l'élémentaire du conseil, conformément au paragraphe (3).
- 2. Calculer la somme liée aux programmes de français langue seconde pour les élèves du secondaire du conseil, conformément au paragraphe (5).
- 3. Additionner les sommes calculées aux termes des dispositions 1 et 2.

(2) La définition qui suit s'applique au paragraphe (3).

«enseignement en français» Enseignement du français comme matière ou enseignement de toute autre matière si la langue d'enseignement est le français.

(3) Pour l'application de la disposition 1 du paragraphe (1), la somme liée aux programmes de français langue seconde pour les élèves de l'élémentaire du conseil est calculée de la manière suivante :

1. Determine the number of pupils of the board enrolled in any of grades four to eight who, on October 31, 1999, are scheduled to take instruction in French for an average of 20 or more minutes but less than 60 minutes per school day. Multiply by \$229.
2. Determine the number of pupils of the board enrolled in any of grades four to eight who, on October 31, 1999, are scheduled to take instruction in French for an average of 60 or more minutes but less than 150 minutes per school day. Multiply by \$260.
3. Determine the number of pupils of the board enrolled in any of grades one to eight who, on October 31, 1999, are scheduled to take instruction in French for an average of 150 or more minutes per school day. Multiply by \$291.
4. Determine the number of pupils of the board enrolled in junior kindergarten or kindergarten who, on October 31, 1999, are scheduled to take instruction in French for an average of 75 minutes or more per school day. Multiply by \$291.
5. Total the products obtained under paragraphs 1 to 4.

(4) In subsection (5),

“course” means a course at the secondary level that is assigned a common course code in the list of common course codes published by the Ministry; (“cours”)

“credit value” of a course in which a pupil is enrolled means the number of credits that the pupil is eligible to earn on successfully completing the course. (“valeur en crédits”)

(5) For the purposes of paragraph 2 of subsection (1), the French as a second language amount for secondary school pupils of the board shall be determined as follows:

1. Determine an amount for grade nine and ten instruction in the subject of French, as follows:
 - i. Determine the credit value of each grade nine course and grade ten course in the subject of French that is taught on a non-semestered basis. Multiply the credit value by the number of pupils of the board enrolled in the course on October 31, 1999, excluding pupils who are 21 years of age or more on December 31, 1999.
 - ii. Determine the credit value of each grade nine course and grade ten course in the subject of French that is taught on a semestered basis. Multiply the credit value by the total of the number of pupils of the board enrolled in the course on October 31, 1999 and the number of pupils of the board enrolled in the course on March 31, 2000, excluding pupils who are 21 years of age or more on December 31, 1999.
 - iii. Add the products obtained under subparagraphs i and ii.
 - iv. Multiply the sum obtained under subparagraph iii by \$57.
2. Determine an amount for grade nine and ten instruction in a subject other than French where the language of instruction is French, as follows:
 - i. Determine the credit value of each grade nine course and grade ten course in a subject other than French that is taught in French on a non-semestered basis. Multiply the credit value by the number of pupils of the board enrolled in the course on October 31, 1999, excluding pupils who are 21 years of age or more on December 31, 1999.

1. Calculer le nombre d'élèves du conseil inscrits aux quatrième, cinquième, sixième, septième et huitième années qui, le 31 octobre 1999, ont un emploi du temps prévoyant un enseignement en français pendant 20 minutes ou plus, mais moins de 60 minutes, en moyenne par jour de classe. Multiplier par 229 \$.
2. Calculer le nombre d'élèves du conseil inscrits aux quatrième, cinquième, sixième, septième et huitième années qui, le 31 octobre 1999, ont un emploi du temps prévoyant un enseignement en français pendant 60 minutes ou plus, mais moins de 150 minutes, en moyenne par jour de classe. Multiplier par 260 \$.
3. Calculer le nombre d'élèves du conseil inscrits aux huit premières années d'études qui, le 31 octobre 1999, ont un emploi du temps prévoyant un enseignement en français pendant 150 minutes ou plus en moyenne par jour de classe. Multiplier par 291 \$.
4. Calculer le nombre d'élèves du conseil inscrits à la maternelle ou au jardin d'enfants qui, le 31 octobre 1999, ont un emploi du temps prévoyant un enseignement en français pendant 75 minutes ou plus en moyenne par jour de classe. Multiplier par 291 \$.
5. Additionner les produits obtenus aux termes des dispositions 1 à 4.

(4) Les définitions qui suivent s'appliquent au paragraphe (5).

«cours» Cours du niveau secondaire qui a reçu un code du système uniforme de codage des cours publié par le ministère. («course»)

«valeur en crédits» Relativement à un cours auquel est inscrit un élève, s'entend du nombre de crédits que celui-ci a le droit d'obtenir lorsqu'il termine le cours avec succès. («credit value»)

(5) Pour l'application de la disposition 2 du paragraphe (1), la somme liée aux programmes de français langue seconde pour les élèves du secondaire du conseil est calculée de la manière suivante :

1. Calculer la somme liée à l'enseignement du français en neuvième et en dixième année, de la manière suivante :
 - i. Calculer la valeur en crédits de chaque cours de français qui est enseigné sur une base non semestrielle en neuvième et en dixième année. Multiplier la valeur en crédits par le nombre d'élèves du conseil inscrits au cours le 31 octobre 1999, à l'exclusion des élèves qui sont âgés de 21 ans ou plus le 31 décembre 1999.
 - ii. Calculer la valeur en crédits de chaque cours de français qui est enseigné sur une base semestrielle en neuvième et en dixième année. Multiplier la valeur en crédits par le total du nombre d'élèves du conseil inscrits au cours le 31 octobre 1999 et de leur nombre le 31 mars 2000, à l'exclusion des élèves qui sont âgés de 21 ans ou plus le 31 décembre 1999.
 - iii. Additionner les produits obtenus aux termes des sous-dispositions i et ii.
 - iv. Multiplier le total obtenu aux termes de la sous-disposition iii par 57 \$.
2. Calculer la somme liée à l'enseignement en neuvième et en dixième année d'une matière autre que le français si la langue d'enseignement est le français, de la manière suivante :
 - i. Calculer la valeur en crédits de chaque cours dans une matière autre que le français qui est enseigné en français sur une base non semestrielle en neuvième et en dixième année. Multiplier la valeur en crédits par le nombre d'élèves du conseil inscrits au cours le 31 octobre 1999, à l'exclusion des élèves qui sont âgés de 21 ans ou plus le 31 décembre 1999.

- ii. Determine the credit value of each grade nine course and grade ten course in a subject other than French that is taught in French on a semestered basis. Multiply the credit value by the total of the number of pupils of the board enrolled in the course on October 31, 1999 and the number of pupils of the board enrolled in the course on March 31, 2000, excluding pupils who are 21 years of age or more on December 31, 1999.
 - iii. Add the products obtained under subparagraphs i and ii.
 - iv. Multiply the sum obtained under subparagraph iii by \$94.
 3. Determine an amount for grade 11, 12 and OAC instruction in the subject of French, as follows:
 - i. Determine the credit value of each grade 11 course, grade 12 course and OAC course in the subject of French that is taught on a non-semestered basis. Multiply the credit value by the number of pupils of the board enrolled in the course on October 31, 1999, excluding pupils who are 21 years of age or more on December 31, 1999.
 - ii. Determine the credit value of each grade 11 course, grade 12 course and OAC course in the subject of French that is taught on a semestered basis. Multiply the credit value by the total of the number of pupils of the board enrolled in the course on October 31, 1999 and the number of pupils of the board enrolled in the course on March 31, 2000, excluding pupils who are 21 years of age or more on December 31, 1999.
 - iii. Add the products obtained under subparagraphs i and ii.
 - iv. Multiply the sum obtained under subparagraph iii by \$75.
 4. Determine an amount for grade 11, 12 and OAC instruction in a subject other than French where the language of instruction is French, as follows:
 - i. Determine the credit value of each grade 11 course, grade 12 course and OAC course in a subject other than French that is taught in French on a non-semestered basis. Multiply the credit value by the number of pupils of the board enrolled in the course on October 31, 1999, excluding pupils who are 21 years of age or more on December 31, 1999.
 - ii. Determine the credit value of each grade 11 course, grade 12 course and OAC course in a subject other than French that is taught in French on a semestered basis. Multiply the credit value by the total of the number of pupils of the board enrolled in the course on October 31, 1999 and the number of pupils of the board enrolled in the course on March 31, 2000, excluding pupils who are 21 years of age or more on December 31, 1999.
 - iii. Add the products obtained under subparagraphs i and ii.
 - iv. Multiply the sum obtained under subparagraph iii by \$145.
 5. Total the dollar amounts determined under paragraphs 1 to 4.
- ii. Calculer la valeur en crédits de chaque cours dans une matière autre que le français qui est enseigné en français sur une base semestrielle en neuvième et en dixième année. Multiplier la valeur en crédits par le total du nombre d'élèves du conseil inscrits au cours le 31 octobre 1999 et de leur nombre le 31 mars 2000, à l'exclusion des élèves qui sont âgés de 21 ans ou plus le 31 décembre 1999.
 - iii. Additionner les produits obtenus aux termes des sous-dispositions i et ii.
 - iv. Multiplier le total obtenu aux termes de la sous-disposition iii par 94 \$.
 3. Calculer la somme liée à l'enseignement du français en onzième année, en douzième année et dans un cours préuniversitaire de l'Ontario, de la manière suivante :
 - i. Calculer la valeur en crédits de chaque cours de français qui est enseigné sur une base non semestrielle en onzième année, en douzième année et dans un cours préuniversitaire de l'Ontario. Multiplier la valeur en crédits par le nombre d'élèves du conseil inscrits au cours le 31 octobre 1999, à l'exclusion des élèves qui sont âgés de 21 ans ou plus le 31 décembre 1999.
 - ii. Calculer la valeur en crédits de chaque cours de français qui est enseigné sur une base semestrielle en onzième année, en douzième année et dans un cours préuniversitaire de l'Ontario. Multiplier la valeur en crédits par le total du nombre d'élèves du conseil inscrits au cours le 31 octobre 1999 et de leur nombre le 31 mars 2000, à l'exclusion des élèves qui sont âgés de 21 ans ou plus le 31 décembre 1999.
 - iii. Additionner les produits obtenus aux termes des sous-dispositions i et ii.
 - iv. Multiplier le total obtenu aux termes de la sous-disposition iii par 75 \$.
 4. Calculer la somme liée à l'enseignement en onzième année, en douzième année et dans un cours préuniversitaire de l'Ontario d'une matière autre que le français si la langue d'enseignement est le français, de la manière suivante :
 - i. Calculer la valeur en crédits de chaque cours dont la matière n'est pas le français et qui est enseigné en français sur une base non semestrielle en onzième année, en douzième année et dans un cours préuniversitaire de l'Ontario. Multiplier la valeur en crédits par le nombre d'élèves du conseil inscrits au cours le 31 octobre 1999, à l'exclusion des élèves qui sont âgés de 21 ans ou plus le 31 décembre 1999.
 - ii. Calculer la valeur en crédits de chaque cours dont la matière n'est pas le français et qui est enseigné en français sur une base semestrielle en onzième année, en douzième année et dans un cours préuniversitaire de l'Ontario. Multiplier la valeur en crédits par le total du nombre d'élèves du conseil inscrits au cours le 31 octobre 1999 et de leur nombre le 31 mars 2000, à l'exclusion des élèves qui sont âgés de 21 ans ou plus le 31 décembre 1999.
 - iii. Additionner les produits obtenus aux termes des sous-dispositions i et ii.
 - iv. Multiplier le total obtenu aux termes de la sous-disposition iii par 145 \$.
 5. Additionner les sommes calculées aux termes des dispositions 1 à 4.

23. (1) For the purposes of paragraph 2 of section 21, the Native language amount for the board shall be determined as follows:

1. Determine the Native language amount for elementary school pupils of the board, in accordance with subsection (2).
2. Determine the Native language amount for secondary school pupils of the board, in accordance with subsection (4).
3. Total the amounts determined under paragraphs 1 and 2.

(2) For the purposes of paragraph 1 of subsection (1), the Native language amount for elementary school pupils of the board shall be determined as follows:

1. Determine the number of elementary school pupils of the board who, on October 31, 1999, are scheduled to take instruction in the subject of a Native language for an average of 20 or more minutes but less than 40 minutes per school day. Multiply by \$219.
2. Determine the number of elementary school pupils of the board who, on October 31, 1999, are scheduled to take instruction in the subject of a Native language for an average of 40 or more minutes per school day. Multiply by \$389.
3. Total the products obtained under paragraphs 1 and 2.

(3) In subsection (4),

“course” means a course at the secondary level that is assigned a common course code in the list of common course codes published by the Ministry; (“cours”)

“credit value” of a course in which a pupil is enrolled means the number of credits that the pupil is eligible to earn on successfully completing the course. (“valeur en crédits”)

(4) For the purposes of paragraph 2 of subsection (1), the Native language amount for secondary school pupils of the board shall be determined as follows:

1. Determine the credit value of each level one course and level two course in the subject of a Native language that is taught on a non-semestered basis. Multiply the credit value by the number of pupils of the board enrolled in the course on October 31, 1999, excluding pupils who are 21 years of age or more on December 31, 1999. Multiply the product by \$57.
2. Determine the credit value of each level one course and level two course in the subject of a Native language that is taught on a semestered basis. Multiply the credit value by the total of the number of pupils of the board enrolled in the course on October 31, 1999 and the number of pupils of the board enrolled in the course on March 31, 2000, excluding pupils who are 21 years of age or more on December 31, 1999. Multiply the product by \$57.
3. Determine the credit value of each grade ten course in the subject of a Native language that is taught on a non-semestered basis. Multiply the credit value by the number of pupils of the board enrolled in the course on October 31, 1999, excluding pupils who are 21 years of age or more on December 31, 1999. Multiply the product by \$57.
4. Determine the credit value of each grade ten course in the subject of a Native language that is taught on a semestered basis. Multiply the credit value by the total of the number of pupils of the board enrolled in the course on October 31, 1999 and the number of pupils of the board enrolled in the course on March 31, 2000, excluding pupils who are 21 years of age or more on December 31, 1999. Multiply the product by \$57.

23. (1) Pour l'application de la disposition 2 de l'article 21, la somme liée aux programmes de langue autochtone du conseil est calculée de la manière suivante :

1. Calculer la somme liée aux programmes de langue autochtone pour les élèves de l'élémentaire du conseil, conformément au paragraphe (2).
2. Calculer la somme liée aux programmes de langue autochtone pour les élèves du secondaire du conseil, conformément au paragraphe (4).
3. Additionner les sommes calculées aux termes des dispositions 1 et 2.

(2) Pour l'application de la disposition 1 du paragraphe (1), la somme liée aux programmes de langue autochtone pour les élèves de l'élémentaire du conseil est calculée de la manière suivante :

1. Calculer le nombre d'élèves de l'élémentaire du conseil qui, le 31 octobre 1999, ont un emploi du temps prévoyant l'enseignement d'une langue autochtone pendant 20 minutes ou plus, mais moins de 40 minutes, en moyenne par jour de classe. Multiplier par 219 \$.
2. Calculer le nombre d'élèves de l'élémentaire du conseil qui, le 31 octobre 1999, ont un emploi du temps prévoyant l'enseignement d'une langue autochtone pendant 40 minutes ou plus en moyenne par jour de classe. Multiplier par 389 \$.
3. Additionner les produits obtenus aux termes des dispositions 1 et 2.

(3) Les définitions qui suivent s'appliquent au paragraphe (4).

«cours» Cours du niveau secondaire qui a reçu un code du système unifié de codage des cours publié par le ministère. («course»)

«valeur en crédits» Relativement à un cours auquel est inscrit un élève, s'entend du nombre de crédits que celui-ci a le droit d'obtenir lorsqu'il termine le cours avec succès. («credit value»)

(4) Pour l'application de la disposition 2 du paragraphe (1), la somme liée aux programmes de langue autochtone pour les élèves du secondaire du conseil est calculée de la manière suivante :

1. Calculer la valeur en crédits de chaque cours de langue autochtone de niveau I ou II qui est enseigné sur une base non semestrielle. Multiplier la valeur en crédits par le nombre d'élèves du conseil inscrits au cours le 31 octobre 1999, à l'exclusion des élèves qui sont âgés de 21 ans ou plus le 31 décembre 1999. Multiplier le produit par 57 \$.
2. Calculer la valeur en crédits de chaque cours de langue autochtone de niveau I ou II qui est enseigné sur une base semestrielle. Multiplier la valeur en crédits par le total du nombre d'élèves du conseil inscrits au cours le 31 octobre 1999 et de leur nombre le 31 mars 2000, à l'exclusion des élèves qui sont âgés de 21 ans ou plus le 31 décembre 1999. Multiplier le produit par 57 \$.
3. Calculer la valeur en crédits de chaque cours de langue autochtone qui est enseigné sur une base non semestrielle en dixième année. Multiplier la valeur en crédits par le nombre d'élèves du conseil inscrits au cours le 31 octobre 1999, à l'exclusion des élèves qui sont âgés de 21 ans ou plus le 31 décembre 1999. Multiplier le produit par 57 \$.
4. Calculer la valeur en crédits de chaque cours de langue autochtone qui est enseigné sur une base semestrielle en dixième année. Multiplier la valeur en crédits par le total du nombre d'élèves du conseil inscrits au cours le 31 octobre 1999 et de leur nombre le 31 mars 2000, à l'exclusion des élèves qui sont âgés de 21 ans ou plus le 31 décembre 1999. Multiplier le produit par 57 \$.

5. Determine the credit value of each grade 11 course, grade 12 course and OAC course in the subject of a Native language that is taught on a non-semestered basis. Multiply the credit value by the number of pupils of the board enrolled in the course on October 31, 1999, excluding pupils who are 21 years of age or more on December 31, 1999. Multiply the product by \$75.

6. Determine the credit value of each grade 11 course, grade 12 course and OAC course in the subject of a Native language that is taught on a semestered basis. Multiply the credit value by the total of the number of pupils of the board enrolled in the course on October 31, 1999 and the number of pupils of the board enrolled in the course of March 31, 2000, excluding pupils who are 21 years of age or more on December 31, 1999. Multiply the product by \$75.

7. Total the dollar amounts determined under paragraphs 1 to 6.

24. (1) For the purposes of paragraph 3 of section 21, the ESL/ESD amount for the board shall be determined as follows:

1. Determine, as of October 31, 1999, the number of pupils of the board who entered Canada during the period beginning September 1, 1998 and ending October 31, 1999 from countries described in subsection (2), excluding pupils who are 21 years of age or more on December 31, 1999, and multiply that number by 1.0.

2. Determine, as of October 31, 1999, the number of pupils of the board who entered Canada during the period beginning September 1, 1997 and ending August 31, 1998 from countries described in subsection (2), excluding pupils who are 21 years of age or more on December 31, 1999, and multiply that number by 0.6.

3. Determine, as of October 31, 1999, the number of pupils of the board who entered Canada during the period beginning September 1, 1996 and ending August 31, 1997 from countries described in subsection (2), excluding pupils who are 21 years of age or more on December 31, 1999, and multiply that number by 0.3.

4. Total the products obtained under paragraphs 1 to 3.

5. Multiply the amount determined under paragraph 4 by \$2,235.

6. Add the product obtained under paragraph 5 to the amount set out for the board in Table 1.

(2) Paragraphs 1 to 3 of subsection (1) apply in respect of,

(a) countries where English is not the first language of a majority of the population; and

(b) countries where a majority of the population speaks a variety of English that is so different from the English used as the language of instruction in schools of the board that an ESL or ESD program should be offered to pupils from those countries.

LANGUAGE ALLOCATION—FRENCH-LANGUAGE DISTRICT SCHOOL BOARDS

25. For the purposes of paragraph 2 of section 11, the amount of the language allocation for a French-language district school board shall be determined as follows:

1. Determine the French as a first language amount for the board, in accordance with section 26.

5. Calculer la valeur en crédits de chaque cours de langue autochtone qui est enseigné sur une base non semestrielle en onzième année, en douzième année et dans un cours préuniversitaire de l'Ontario. Multiplier la valeur en crédits par le nombre d'élèves du conseil inscrits au cours le 31 octobre 1999, à l'exclusion des élèves qui sont âgés de 21 ans ou plus le 31 décembre 1999. Multiplier le produit par 75 \$.

6. Calculer la valeur en crédits de chaque cours de langue autochtone qui est enseigné sur une base semestrielle en onzième année, en douzième année et dans un cours préuniversitaire de l'Ontario. Multiplier la valeur en crédits par le total du nombre d'élèves du conseil inscrits au cours le 31 octobre 1999 et de leur nombre le 31 mars 2000, à l'exclusion des élèves qui sont âgés de 21 ans ou plus le 31 décembre 1999. Multiplier le produit par 75 \$.

7. Additionner les sommes calculées aux termes des dispositions 1 à 6.

24. (1) Pour l'application de la disposition 3 de l'article 21, la somme liée aux programmes d'ESL/ESD pour le conseil est calculée de la manière suivante :

1. Calculer, au 31 octobre 1999, le nombre d'élèves du conseil qui sont arrivés au Canada pendant la période qui commence le 1^{er} septembre 1998 et qui se termine le 31 octobre 1999 en provenance de pays visés au paragraphe (2), à l'exclusion des élèves qui sont âgés de 21 ans ou plus le 31 décembre 1999. Multiplier ce nombre par 1.

2. Calculer, au 31 octobre 1999, le nombre d'élèves du conseil qui sont arrivés au Canada pendant la période qui commence le 1^{er} septembre 1997 et qui se termine le 31 août 1998 en provenance de pays visés au paragraphe (2), à l'exclusion des élèves qui sont âgés de 21 ans ou plus le 31 décembre 1999. Multiplier ce nombre par 0,6.

3. Calculer, au 31 octobre 1999, le nombre d'élèves du conseil qui sont arrivés au Canada pendant la période qui commence le 1^{er} septembre 1996 et qui se termine le 31 août 1997 en provenance de pays visés au paragraphe (2), à l'exclusion des élèves qui sont âgés de 21 ans ou plus le 31 décembre 1999. Multiplier ce nombre par 0,3.

4. Additionner les produits obtenus aux termes des dispositions 1 à 3.

5. Multiplier le nombre obtenu aux termes de la disposition 4 par 2 235 \$.

6. Additionner le produit obtenu aux termes de la disposition 5 et la somme fixée pour le conseil au tableau 1.

(2) Les dispositions 1 à 3 du paragraphe (1) s'appliquent à l'égard des pays suivants :

a) les pays où l'anglais n'est pas la langue première de la majorité de la population;

b) les pays où la majorité de la population parle un anglais qui est si différent de l'anglais utilisé comme langue d'enseignement dans les écoles du conseil qu'un programme d'ESL ou d'ESD devrait être offert aux élèves qui viennent de ces pays.

ÉLÉMENT ENSEIGNEMENT DES LANGUES — CONSEILS SCOLAIRES DE DISTRICT DE LANGUE FRANÇAISE

25. Pour l'application de la disposition 2 de l'article 11, l'élément enseignement des langues pour un conseil scolaire de district de langue française est calculé de la manière suivante :

1. Calculer la somme liée aux programmes de français langue première pour le conseil, conformément à l'article 26.

2. Determine the Native language amount for the board, in accordance with section 27.
3. Determine the ALF/PDF amount for the board, in accordance with section 28.
4. Total the amounts determined under paragraphs 1, 2 and 3.

26. (1) For the purposes of paragraph 1 of section 25, the French as a first language amount for the board shall be determined as follows:

1. Multiply by \$291 the number of elementary school pupils of the board on October 31, 1999.
2. Multiply the 1999-2000 day school average daily enrolment of secondary school pupils of the board by \$460.
3. Determine the start-up amount for new elementary schools of the board, in accordance with subsection (2).
4. Total the amounts determined under paragraphs 1, 2 and 3.

(2) For the purposes of paragraph 3 of subsection (1), the start-up amount for new elementary schools of the board shall be determined by multiplying the number of elementary schools of the board that are being governed for the first time by the board in September, 1999 by \$10,800.

27. For the purposes of paragraph 2 of section 25, the Native language amount for the board shall be determined in the manner provided in section 23 for English-language district school boards.

28. (1) For the purposes of this section, a board is coterminous with another board if the areas of jurisdiction of the two boards are wholly or partly the same.

(2) For the purposes of this section,

- (a) the area of jurisdiction of a French-language public district school board is divided into portions matching the areas of jurisdiction of the coterminous English-language public district school boards;
- (b) the area of jurisdiction of a French-language separate district school board is divided into portions matching the areas of jurisdiction of the coterminous English-language separate district school boards; and
- (c) where the area of jurisdiction of a French-language separate district school board is the same as the area of jurisdiction of an English-language separate district school board, the total area of jurisdiction of the French-language separate district school board is one portion.

(3) For the purposes of paragraph 3 of section 25, the ALF/PDF amount for the board shall be determined as follows:

1. Determine the ALF funding level for the board in accordance with subsection (4).
2. Determine the PDF funding level for the board in accordance with subsection (11).
3. Total the amounts determined under paragraphs 1 and 2.

(4) For the purposes of paragraph 1 of subsection (3), the ALF funding level for the board shall be determined as follows:

2. Calculer la somme liée aux programmes de langue autochtone pour le conseil, conformément à l'article 27.
3. Calculer la somme liée aux programmes d'ALF/PDF pour le conseil, conformément à l'article 28.
4. Additionner les sommes calculées aux termes des dispositions 1, 2 et 3.

26. (1) Pour l'application de la disposition 1 de l'article 25, la somme liée aux programmes de français langue première pour le conseil est calculée de la manière suivante :

1. Multiplier le nombre d'élèves de l'élémentaire du conseil le 31 octobre 1999 par 291 \$.
2. Multiplier l'effectif quotidien moyen de jour des élèves du secondaire du conseil pour 1999-2000 par 460 \$.
3. Calculer la somme de démarrage pour les nouvelles écoles élémentaires du conseil conformément au paragraphe (2).
4. Additionner les sommes calculées aux termes des dispositions 1, 2 et 3.

(2) Pour l'application de la disposition 3 du paragraphe (1), la somme de démarrage pour les nouvelles écoles élémentaires du conseil est calculée en multipliant le nombre d'écoles élémentaires qui commencent à relever du conseil en septembre 1999 par 10 800 \$.

27. Pour l'application de la disposition 2 de l'article 25, la somme liée aux programmes de langue autochtone pour le conseil est calculée de la manière prévue à l'article 23 pour les conseils scolaires de district de langue anglaise.

28. (1) Pour l'application du présent article, un conseil coïncide avec un autre conseil si les territoires de compétence des deux conseils sont en totalité ou en partie les mêmes.

(2) Pour l'application du présent article :

- a) le territoire de compétence d'un conseil scolaire de district public de langue française est divisé en parties qui correspondent aux territoires de compétence des conseils scolaires de district publics de langue anglaise coïncidents;
- b) le territoire de compétence d'un conseil scolaire de district séparé de langue française est divisé en parties qui correspondent aux territoires de compétence des conseils scolaires de district séparés de langue anglaise coïncidents;
- c) si le territoire de compétence d'un conseil scolaire de district séparé de langue française est le même que celui d'un conseil scolaire de district séparé de langue anglaise, la totalité du territoire de compétence du conseil scolaire de district séparé de langue française constitue une seule partie.

(3) Pour l'application de la disposition 3 de l'article 25, la somme liée aux programmes d'ALF/PDF pour le conseil est calculée de la manière suivante :

1. Calculer le niveau de financement des programmes d'ALF pour le conseil conformément au paragraphe (4).
2. Calculer le niveau de financement des programmes de PDF pour le conseil conformément au paragraphe (11).
3. Additionner les sommes obtenues aux termes des dispositions 1 et 2.

(4) Pour l'application de la disposition 1 du paragraphe (3), le niveau de financement des programmes d'ALF pour le conseil est calculé de la manière suivante :

1. Determine the number of elementary instructional units for ALF purposes for each portion of the board, in accordance with subsection (6). The determination under this paragraph shall be accurate to two decimal places.
2. Determine the number of secondary instructional units for ALF purposes for each portion of the board, in accordance with subsection (7). The determination under this paragraph shall be accurate to two decimal places.
3. For each portion of the board, add the numbers determined under paragraphs 1 and 2.
4. Determine the assimilation factor for each portion of the board, in accordance with subsection (8) or (9), as the case may be.
5. For each portion of the board, multiply the number determined under paragraph 3 by the factor determined under paragraph 4.
6. For each portion of the board, multiply the product determined under paragraph 5 by \$60,000.
7. Total the amounts determined for each of the portions of the board under paragraph 6.

(5) For the purposes of subsections (6) and (7), the pupils of a board shall be counted on the basis of day school full-time equivalent enrolment for the board as of October 31, 1999.

(6) The number of elementary instructional units for ALF purposes for a portion of the board shall be determined as follows:

1. Allow 0.005 elementary instructional units for ALF purposes for each of the first 200 elementary school pupils of the board who are enrolled in schools located in the portion.
2. Allow 0.0025 elementary instructional units for ALF purposes for each of the next 1,600 elementary school pupils of the board who are enrolled in schools located in the portion.
3. Allow 0.0013 elementary instructional units for ALF purposes for each of the remaining elementary school pupils of the board who are enrolled in schools located in the portion.
4. Total the instructional units allowed for ALF purposes for the portion of the board under paragraphs 1, 2 and 3.

(7) The number of secondary instructional units for ALF purposes for a portion of the board shall be determined as follows:

1. Allow 0.0025 secondary instructional units for ALF purposes for each of the first 1,200 secondary school pupils of the board who are enrolled in schools located in the portion.
2. Allow 0.0013 secondary instructional units for ALF purposes for each of the remaining secondary school pupils of the board who are enrolled in schools located in the portion.
3. Total the instructional units allowed for ALF purposes for the portion of the board under paragraphs 1 and 2.

(8) The assimilation factor for a portion of a French-language public district school board shall be the factor specified in Table 2 for the English-language public district school board the area of jurisdiction of which matches the portion.

(9) The assimilation factor for a portion of a French-language separate district school board shall be the factor specified in Table 2 for the English-language separate district school board the area of jurisdiction of which matches the portion.

(10) For the purposes of subsection (11), a pupil is eligible for PDF funding if,

1. Calculer le nombre de modules scolaires de l'élémentaire aux fins de l'ALF pour chaque partie du conseil conformément au paragraphe (6). Le calcul effectué aux termes de la présente disposition se fait à deux décimales près.
2. Calculer le nombre de modules scolaires du secondaire aux fins de l'ALF pour chaque partie du conseil conformément au paragraphe (7). Le calcul effectué aux termes de la présente disposition se fait à deux décimales près.
3. Pour chaque partie du conseil, additionner les nombres calculés aux termes des dispositions 1 et 2.
4. Calculer le facteur d'assimilation pour chaque partie du conseil conformément au paragraphe (8) ou (9), selon le cas.
5. Pour chaque partie du conseil, multiplier le nombre calculé aux termes de la disposition 3 par le facteur calculé aux termes de la disposition 4.
6. Pour chaque partie du conseil, multiplier le produit obtenu aux termes de la disposition 5 par 60 000 \$.
7. Additionner les sommes calculées pour chacune des parties du conseil aux termes de la disposition 6.

(5) Pour l'application des paragraphes (6) et (7), les élèves d'un conseil sont dénombrés en fonction de l'effectif de jour à plein temps ou l'équivalent du conseil au 31 octobre 1999.

(6) Le nombre de modules scolaires de l'élémentaire aux fins de l'ALF pour une partie du conseil est calculé de la manière suivante :

1. Prévoir 0,005 module scolaire de l'élémentaire aux fins de l'ALF pour chaque élève de la première tranche de 200 élèves de l'élémentaire du conseil qui sont inscrits aux écoles situées dans cette partie.
2. Prévoir 0,0025 module scolaire de l'élémentaire aux fins de l'ALF pour chaque élève de la tranche suivante de 1 600 élèves de l'élémentaire du conseil qui sont inscrits aux écoles situées dans cette partie.
3. Prévoir 0,0013 module scolaire de l'élémentaire aux fins de l'ALF pour chacun des autres élèves de l'élémentaire du conseil qui sont inscrits aux écoles situées dans cette partie.
4. Additionner les modules scolaires prévus aux fins de l'ALF pour la partie du conseil aux termes des dispositions 1, 2 et 3.

(7) Le nombre de modules scolaires du secondaire aux fins de l'ALF pour une partie du conseil est calculé de la manière suivante :

1. Prévoir 0,0025 module scolaire du secondaire aux fins de l'ALF pour chaque élève de la première tranche de 1 200 élèves du secondaire du conseil qui sont inscrits aux écoles situées dans cette partie.
2. Prévoir 0,0013 module scolaire du secondaire aux fins de l'ALF pour chacun des autres élèves du secondaire du conseil qui sont inscrits aux écoles situées dans cette partie.
3. Additionner les modules scolaires prévus aux fins de l'ALF pour la partie du conseil aux termes des dispositions 1 et 2.

(8) Le facteur d'assimilation pour une partie d'un conseil scolaire de district public de langue française correspond au facteur précisé au tableau 2 pour le conseil scolaire de district public de langue anglaise dont le territoire de compétence correspond à la partie.

(9) Le facteur d'assimilation pour une partie d'un conseil scolaire de district séparé de langue française correspond au facteur précisé au tableau 2 pour le conseil scolaire de district séparé de langue anglaise dont le territoire de compétence correspond à la partie.

(10) Pour l'application du paragraphe (11), un élève est admissible au financement au titre du PDF s'il satisfait aux conditions suivantes :

- (a) the pupil was admitted to a school of the board under section 293 of the Act;
- (b) the pupil entered Canada during the period beginning September 1, 1996 and ending October 31, 1999 from a country in which French is a standard language of schooling or public administration;
- (c) the pupil has one or more of the following characteristics:
 1. The pupil speaks a variety of French that is so different from the French being used as the language of instruction in schools of the board that a PDF program should be offered to the pupil.
 2. The pupil's schooling has been interrupted or delayed.
 3. The pupil has little knowledge of English or French.

(11) For the purposes of paragraph 2 of subsection (3), the PDF funding level for the board shall be determined as follows:

1. Determine, as of October 31, 1999, the number of pupils of the board who are eligible for PDF funding and who entered Canada during the period beginning September 1, 1998 and ending October 31, 1999 from a country described in clause (10) (b), excluding pupils who are 21 years of age or more on December 31, 1999, and multiply that number by 1.0.
2. Determine, as of October 31, 1999, the number of pupils of the board who are eligible for PDF funding and who entered Canada during the period beginning September 1, 1997 and ending August 31, 1998 from a country described in clause (10) (b), excluding pupils who are 21 years of age or more on December 31, 1999, and multiply that number by 0.6.
3. Determine, as of October 31, 1999, the number of pupils of the board who are eligible for PDF funding and who entered Canada during the period beginning September 1, 1996 and ending August 31, 1997 from a country described in clause (10) (b), excluding pupils who are 21 years of age or more on December 31, 1999, and multiply that number by 0.3.
4. Total the products obtained under paragraphs 1, 2 and 3.
5. Multiply the amount determined under paragraph 4 by \$2,235.

SMALL SCHOOLS ALLOCATION

29. (1) In this section,

“small school”, in relation to an English-language district school board, means,

- (a) an elementary school that has an average of less than 20 pupils per grade and is located eight or more kilometres by road from every other elementary school of the board,
- (b) a secondary school that has an average of less than 120 pupils per grade and is located 32 or more kilometres by road from every other secondary school of the board; (“petite école”)

“small school”, in relation to a French-language district school board, means,

- (a) an elementary school that has an average of less than 20 pupils per grade and is located eight or more kilometres by road from every other elementary school of the board that is located in the same portion of the board's area of jurisdiction,

- a) il a été admis à une école du conseil en vertu de l'article 293 de la Loi;
- b) il est arrivé au Canada pendant la période qui commence le 1^{er} septembre 1996 et qui se termine le 31 octobre 1999 en provenance d'un pays où le français est la langue normalisée de l'enseignement ou de l'administration publique;
- c) il répond à un ou à plusieurs des critères suivants :
 1. Il parle un français si différent du français utilisé comme langue d'enseignement dans les écoles du conseil qu'un programme de PDF devrait lui être offert.
 2. Sa scolarité a été interrompue ou retardée.
 3. Il a une faible connaissance de l'anglais ou du français.

(11) Pour l'application de la disposition 2 du paragraphe (3), le niveau de financement des programmes de PDF pour le conseil est calculé de la manière suivante :

1. Calculer, au 31 octobre 1999, le nombre d'élèves du conseil qui sont admissibles au financement au titre du PDF et qui sont arrivés au Canada pendant la période qui commence le 1^{er} septembre 1998 et qui se termine le 31 octobre 1999 en provenance d'un pays visé à l'alinéa (10) b), à l'exclusion des élèves qui sont âgés de 21 ans ou plus le 31 décembre 1999. Multiplier ce nombre par 1.
2. Calculer, au 31 octobre 1999, le nombre d'élèves du conseil qui sont admissibles au financement au titre du PDF et qui sont arrivés au Canada pendant la période qui commence le 1^{er} septembre 1997 et qui se termine le 31 août 1998 en provenance d'un pays visé à l'alinéa (10) b), à l'exclusion des élèves qui sont âgés de 21 ans ou plus le 31 décembre 1999. Multiplier ce nombre par 0,6.
3. Calculer, au 31 octobre 1999, le nombre d'élèves du conseil qui sont admissibles au financement au titre du PDF et qui sont arrivés au Canada pendant la période qui commence le 1^{er} septembre 1996 et qui se termine le 31 août 1997 en provenance d'un pays visé à l'alinéa (10) b), à l'exclusion des élèves qui sont âgés de 21 ans ou plus le 31 décembre 1999. Multiplier ce nombre par 0,3.
4. Additionner les produits obtenus aux termes des dispositions 1, 2 et 3.
5. Multiplier le nombre calculé aux termes de la disposition 4 par 2 235 \$.

ÉLÉMENT PETITES ÉCOLES

29. (1) Les définitions qui suivent s'appliquent au présent article.

«petite école» Relativement à un conseil scolaire de district de langue anglaise, s'entend :

- a) soit d'une école élémentaire qui compte moins de 20 élèves en moyenne par année d'études et qui est située à au moins huit kilomètres par route des autres écoles élémentaires du conseil;
- b) soit d'une école secondaire qui compte moins de 120 élèves en moyenne par année d'études et qui est située à au moins 32 kilomètres par route des autres écoles secondaires du conseil. («small school»)

«petite école» Relativement à un conseil scolaire de district de langue française, s'entend :

- a) soit d'une école élémentaire qui compte moins de 20 élèves en moyenne par année d'études et qui est située à au moins huit kilomètres par route des autres écoles élémentaires du conseil situées dans la même partie de son territoire de compétence;

- (b) a secondary school that has an average of less than 120 pupils per grade and is located 32 or more kilometres by road from every other secondary school of the board that is located in the same portion of the board's area of jurisdiction. ("petite école")
- (2) For the purposes of this section, a board is coterminous with another board if the areas of jurisdiction of the two boards are wholly or partly the same.
- (3) For the purposes of this section,
- the area of jurisdiction of a French-language public district school board is divided into portions matching the areas of jurisdiction of the coterminous English-language public district school boards;
 - the area of jurisdiction of a French-language separate district school board is divided into portions matching the areas of jurisdiction of the coterminous English-language separate district school boards; and
 - where the area of jurisdiction of a French-language separate district school board is the same as the area of jurisdiction of an English-language separate district school board, the total area of jurisdiction of the French-language separate district school board is one portion.
- (4) For the purposes of this section,
- junior kindergarten, kindergarten and grades one to eight are elementary grades;
 - grades nine to twelve and OAC are secondary grades;
 - subject to subsection (5), a school that offers instruction in one or more of the elementary grades shall be treated as an elementary school;
 - subject to subsection (5), a school that offers instruction in one or more of the secondary grades shall be treated as a secondary school.
- (5) For the purposes of this section, where a school offers instruction in one or more of the elementary grades and in one or more of the secondary grades, the school shall be treated as two schools, as follows:
- One elementary school, offering instruction in the relevant elementary grades.
 - One secondary school, offering instruction in the relevant secondary grades.
- (6) For the purposes of this section, the average number of pupils per grade of an elementary school shall be calculated as follows:
- Determine the day school full-time equivalent enrolment for the board as of October 31, 1999, counting only the pupils enrolled in the school. For the purposes of this paragraph, a pupil who would be a pupil of a board were it not for subsection 2 (5) shall be deemed to be a pupil of the board.
 - Determine the number of grades in the school, counting junior kindergarten and kindergarten as 0.5 grades each.
 - Divide the number determined under paragraph 1 by the number determined under paragraph 2.
- (7) For the purposes of this section, the average number of pupils per grade of a secondary school shall be calculated as follows:

- b) soit d'une école secondaire qui compte moins de 120 élèves en moyenne par année d'études et qui est située à au moins 32 kilomètres par route des autres écoles secondaires du conseil situées dans la même partie de son territoire de compétence. («small school»)
- (2) Pour l'application du présent article, un conseil coïncide avec un autre conseil si les territoires de compétence des deux conseils sont en totalité ou en partie les mêmes.
- (3) Pour l'application du présent article :
- le territoire de compétence d'un conseil scolaire de district public de langue française est divisé en parties qui correspondent aux territoires de compétence des conseils scolaires de district public de langue anglaise coïncidents;
 - le territoire de compétence d'un conseil scolaire de district séparé de langue française est divisé en parties qui correspondent aux territoires de compétence des conseils scolaires de district séparés de langue anglaise coïncidents;
 - si le territoire de compétence d'un conseil scolaire de district séparé de langue française est le même que celui d'un conseil scolaire de district séparé de langue anglaise, la totalité du territoire de compétence du conseil scolaire de district séparé de langue française constitue une seule partie.
- (4) Pour l'application du présent article :
- la maternelle, le jardin d'enfants et la première à la huitième année sont des années d'études élémentaires;
 - la neuvième à la douzième année et un cours préuniversitaire de l'Ontario sont des années d'études secondaires;
 - sous réserve du paragraphe (5), l'école qui offre un enseignement à une ou à plusieurs années d'études élémentaires est considérée comme une école élémentaire;
 - sous réserve du paragraphe (5), l'école qui offre un enseignement à une ou à plusieurs années d'études secondaires est considérée comme une école secondaire.
- (5) Pour l'application du présent article, l'école qui offre un enseignement à une ou à plusieurs années d'études élémentaires et à une ou à plusieurs années d'études secondaires est considérée comme deux écoles distinctes, soit :
- Une école élémentaire qui offre un enseignement aux années d'études élémentaires pertinentes.
 - Une école secondaire qui offre un enseignement aux années d'études secondaires pertinentes.
- (6) Pour l'application du présent article, le nombre moyen d'élèves par année d'études d'une école élémentaire est calculé de la manière suivante :
- Calculer l'effectif de jour à temps plein ou l'équivalent pour le conseil au 31 octobre 1999, en ne comptant que les élèves inscrits à l'école. Pour l'application de la présente disposition, l'élève qui serait un élève d'un conseil en l'absence du paragraphe 2 (5) est réputé un élève du conseil.
 - Calculer le nombre d'années d'études offertes à l'école, la maternelle et le jardin d'enfants représentant chacun 0,5 année d'études.
 - Diviser le nombre calculé aux termes de la disposition 1 par le nombre calculé aux termes de la disposition 2.
- (7) Pour l'application du présent article, le nombre moyen d'élèves par année d'études d'une école secondaire est calculé de la manière suivante :

1. Determine the day school full-time equivalent enrolment for the board as of October 31, 1999, counting only the pupils enrolled in the school. For the purposes of this paragraph, a pupil who would be a pupil of a board were it not for subsection 2 (4) or (5) shall be deemed to be a pupil of the board.
 2. Divide the number determined under paragraph 1 by the number of grades in which instruction is provided in the school.
- (8) Where two or more elementary schools of an English-language district school board are all located within eight kilometres of each other by road, their combined average number of pupils per grade is less than 20 pupils per grade and one or more of the schools in the group is located eight or more kilometres by road from every elementary school of the board that is not in the group,
- (a) the group of two or more schools shall be deemed to be one small school for the purposes of this section; and
 - (b) each of the two or more schools in the group shall be deemed not to be a small school for the purposes of this section.
- (9) Where two or more elementary schools of a French-language district school board are all located in the same portion of the board's area of jurisdiction, are all within eight kilometres of each other by road, their combined average number of pupils per grade is less than 20 pupils per grade and one or more of the schools in the group is located eight or more kilometres by road from every elementary school of the board that is not in the group but is in the same portion of the board's area of jurisdiction,
- (a) the group of two or more schools shall be deemed to be one small school for the purposes of this section; and
 - (b) each of the two or more schools in the group shall be deemed not to be a small school for the purposes of this section.
- (10) For the purposes of this section, the combined average number of pupils per grade of a group of two or more elementary schools shall be calculated as follows:
1. Determine the day school full-time equivalent enrolment for the board as of October 31, 1999, counting only the pupils enrolled in the schools in the group. For the purposes of this paragraph, a pupil who would be a pupil of a board were it not for subsection 2 (5) shall be deemed to be a pupil of the board.
 2. Determine the number of grades in which instruction is given in one or more of the schools in the group, counting junior kindergarten and kindergarten as 0.5 grades each.
 3. Divide the number determined under paragraph 1 by the number determined under paragraph 2.
- (11) For the purposes of paragraph 2 of section 11, the amount of the small school allocation for a district school board shall be determined as follows:
1. For each elementary small school of the board,
 - i. determine the school size factor, in accordance with subsection (12),
 - ii. determine the remoteness factor, in accordance with subsection (14), and
 - iii. determine the day school full-time equivalent enrolment for the board as of October 31, 1999, counting only the pupils of the board enrolled in the school.
 2. For each elementary small school of the board, multiply the school size factor by the remoteness factor. Multiply the product by the enrolment determined for the school under subparagraph iii of paragraph 1.
 3. For each elementary small school of the board, multiply the product obtained under paragraph 2 by \$6,000.

1. Calculer l'effectif de jour à temps plein ou l'équivalent pour le conseil au 31 octobre 1999, en ne comptant que les élèves inscrits à l'école. Pour l'application de la présente disposition, l'élève qui serait un élève d'un conseil en l'absence du paragraphe 2 (4) ou (5) est réputé un élève du conseil.
 2. Diviser le nombre calculé aux termes de la disposition 1 par le nombre d'années d'études offertes dans l'école.
- (8) Si deux écoles élémentaires ou plus d'un conseil scolaire de district de langue anglaise sont situées à huit kilomètres au plus les unes des autres par route, que leur nombre moyen global d'élèves par année d'études est inférieur à 20 élèves et qu'une ou plusieurs écoles de ce groupe sont situées à au moins huit kilomètres par route des écoles élémentaires du conseil qui ne font pas partie du groupe :
- a) le groupe de deux écoles ou plus est réputé une seule petite école pour l'application du présent article;
 - b) chacune des écoles de ce groupe est réputée ne pas être une petite école pour l'application du présent article.
- (9) Si deux écoles élémentaires ou plus d'un conseil scolaire de district de langue française sont situées dans la même partie du territoire de compétence du conseil, qu'elles sont situées à huit kilomètres au plus les unes des autres par route, que leur nombre moyen global d'élèves par année d'études est inférieur à 20 élèves et qu'une ou plusieurs écoles de ce groupe sont situées à au moins huit kilomètres par route des écoles élémentaires du conseil qui ne font pas partie du groupe mais qui sont situées dans la même partie du territoire de compétence du conseil :
- a) le groupe de deux écoles ou plus est réputé une seule petite école pour l'application du présent article;
 - b) chacune des écoles de ce groupe est réputée ne pas être une petite école pour l'application du présent article.
- (10) Pour l'application du présent article, le nombre moyen global d'élèves par année d'études d'un groupe de deux écoles élémentaires ou plus est calculé de la manière suivante :
1. Calculer l'effectif de jour à temps plein ou l'équivalent pour le conseil au 31 octobre 1999, en ne comptant que les élèves inscrits aux écoles du groupe. Pour l'application de la présente disposition, l'élève qui serait un élève d'un conseil en l'absence du paragraphe 2 (5) est réputé un élève du conseil.
 2. Calculer le nombre d'années d'études auxquelles une ou plusieurs écoles du groupe offrent un enseignement, la maternelle et le jardin d'enfants représentant chacun 0,5 année d'études.
 3. Diviser le nombre calculé aux termes de la disposition 1 par le nombre calculé aux termes de la disposition 2.
- (11) Pour l'application de la disposition 2 de l'article 11, l'élément petites écoles pour un conseil scolaire de district est calculé de la manière suivante :
1. Pour chaque petite école élémentaire du conseil :
 - i. calculer le facteur de l'effectif de l'école conformément au paragraphe (12),
 - ii. calculer le facteur d'éloignement conformément au paragraphe (14),
 - iii. calculer l'effectif de jour à temps plein ou l'équivalent pour le conseil au 31 octobre 1999, en ne comptant que les élèves du conseil inscrits à l'école.
 2. Pour chaque petite école élémentaire du conseil, multiplier le facteur de l'effectif de l'école par le facteur d'éloignement. Multiplier le produit par l'effectif calculé pour l'école aux termes de la sous-disposition iii de la disposition 1.
 3. Pour chaque petite école élémentaire du conseil, multiplier le produit obtenu aux termes de la disposition 2 par 6 000 \$.

4. Total the amounts determined for each of the elementary small schools of the board under paragraph 3.
5. For each secondary small school of the board,
 - i. determine the school size factor, in accordance with subsection (16),
 - ii. determine the remoteness factor, in accordance with subsection (17), and
 - iii. determine the day school full-time equivalent enrolment for the board as of October 31, 1999, counting only pupils of the board enrolled in the school. For the purposes of this subparagraph, pupils enrolled in the school who would be pupils of the board were it not for subsection 2 (4) shall be deemed to be pupils of the board.
6. For each secondary small school of the board, multiply the school size factor by the remoteness factor. Multiply the product by the enrolment number determined for the school under subparagraph iii of paragraph 5.
7. For each secondary small school of the board, multiply the product obtained under paragraph 6 by \$7,200.
8. Total the amounts determined for each of the secondary small schools of the board under paragraph 7.
9. Total the totals determined under paragraphs 4 and 8.

(12) The school size factor for a small elementary school shall be determined as follows:

1. For a school with an average number of pupils per grade that is less than two, the school size factor is 1.
2. For a school with an average number of pupils per grade that is two or more but not more than 10, the school size factor shall be determined on a sliding scale as follows:
 - i. Divide 10 by the average number of pupils per grade.
 - ii. Multiply the result obtained under subparagraph i by 0.2.
3. For a school with an average number of pupils per grade that is more than 10 but less than 20, the school size factor shall be determined on a sliding scale as follows:
 - i. Subtract 10 from the average number of pupils per grade.
 - ii. Divide the result obtained under subparagraph i by 10.
 - iii. Subtract the result obtained under subparagraph ii from one.
 - iv. Multiply the result obtained under subparagraph iii by 0.2.

(13) For the purposes of subsection (12), the average number of pupils per grade of a group of two or more schools that is deemed under subsection (8) or (9) to be one small school is the combined average number of pupils per grade of the group, calculated in accordance with subsection (10).

(14) The remoteness factor for a small elementary school shall be determined as follows:

1. For a school of an English-language district board located 80 kilometres or more by road from all other elementary schools of the board, the remoteness factor is 1.5.

4. Additionner les sommes calculées pour chacune des petites écoles élémentaires du conseil aux termes de la disposition 3.
5. Pour chaque petite école secondaire du conseil :
 - i. calculer le facteur de l'effectif de l'école conformément au paragraphe (16),
 - ii. calculer le facteur d'éloignement conformément au paragraphe (17),
 - iii. calculer l'effectif de jour à temps plein ou l'équivalent pour le conseil au 31 octobre 1999, en ne comptant que les élèves du conseil inscrits à l'école. Pour l'application de la présente sous-disposition, les élèves inscrits à l'école qui seraient des élèves du conseil en l'absence du paragraphe 2 (4) sont réputés des élèves du conseil.
6. Pour chaque petite école secondaire du conseil, multiplier le facteur de l'effectif de l'école par le facteur d'éloignement. Multiplier le produit par l'effectif calculé pour l'école aux termes de la sous-disposition iii de la disposition 5.
7. Pour chaque petite école secondaire du conseil, multiplier le produit obtenu aux termes de la disposition 6 par 7 200 \$.
8. Additionner les sommes calculées pour chacune des petites écoles secondaires du conseil aux termes de la disposition 7.
9. Additionner les totaux obtenus aux termes des dispositions 4 et 8.

(12) Le facteur de l'effectif de l'école pour une petite école élémentaire est calculé de la manière suivante :

1. Pour une école dont le nombre moyen d'élèves par année d'études est inférieure à deux, le facteur de l'effectif de l'école est de 1.
2. Pour une école dont le nombre moyen d'élèves par année d'études est d'au moins deux et d'au plus 10, le facteur de l'effectif de l'école est calculé en fonction d'une échelle mobile, de la manière suivante :
 - i. Diviser 10 par le nombre moyen d'élèves par année d'études.
 - ii. Multiplier le résultat obtenu aux termes de la sous-disposition i par 0,2.
3. Pour une école dont le nombre moyen d'élèves par année d'études est supérieur à 10 mais inférieur à 20, le facteur de l'effectif de l'école est calculé en fonction d'une échelle mobile, de la manière suivante :
 - i. Soustraire 10 du nombre moyen d'élèves par année d'études.
 - ii. Diviser le résultat obtenu aux termes de la sous-disposition i par 10.
 - iii. Soustraire le résultat obtenu aux termes de la sous-disposition ii de un.
 - iv. Multiplier le résultat obtenu aux termes de la sous-disposition iii par 0,2.

(13) Pour l'application du paragraphe (12), le nombre moyen d'élèves par année d'études d'un groupe de deux écoles ou plus qui est réputé une seule petite école aux termes du paragraphe (8) ou (9) correspond au nombre moyen global d'élèves par année d'études du groupe, calculé conformément au paragraphe (10).

(14) Le facteur d'éloignement pour une petite école élémentaire est calculé de la manière suivante :

1. Pour une école d'un conseil scolaire de district de langue anglaise située à au moins 80 kilomètres par route des autres écoles élémentaires du conseil, le facteur d'éloignement est de 1,5.

2. For a school of an English-language district board located more than 32 kilometres by road but less than 80 kilometres by road from all other elementary schools of the board, the remoteness factor is 1.25.
3. For all other schools of an English-language district school board, the remoteness factor is 1.0.
4. For a school of a French-language district board located 80 kilometres or more by road from all other elementary schools of the board that are located in the same portion of the board's area of jurisdiction, the remoteness factor is 1.5.
5. For a school of a French-language district board located more than 32 kilometres by road but less than 80 kilometres by road from all other elementary schools of the board that are located in the same portion of the board's area of jurisdiction, the remoteness factor is 1.25.
6. For all other schools of a French-language district school board, the remoteness factor is 1.0.

(15) The following rules apply for the purposes of subsection (14), where a group of two or more schools of a board is deemed under subsection (8) or (9) to be one small school:

1. In the case of elementary schools of an English-language district school board, if one or more of the schools in the group is located 80 kilometres or more by road from every elementary school of the board that is not in the group, the deemed small school shall be deemed to be located 80 kilometres or more by road from all other elementary schools of the board.
2. Except where paragraph 1 applies, in the case of elementary schools of an English-language district school board, if one or more of the schools in the group is located more than 32 kilometres by road from every elementary school of the board that is not in the group, the deemed small school shall be deemed to be located more than 32 kilometres by road but less than 80 kilometres by road from all other elementary schools of the board.
3. In the case of elementary schools of a French-language district school board, if one or more of the schools in the group is located 80 kilometres or more by road from every elementary school of the board that is not in the group but that is located in the same portion of the board's area of jurisdiction, the deemed small school shall be deemed to be located 80 kilometres or more by road from all other elementary schools of the board.
4. Except where paragraph 3 applies, in the case of elementary schools of a French-language district school board, if one or more of the schools in the group is located more than 32 kilometres by road from every elementary school of the board that is not in the group but that is located in the same portion of the board's area of jurisdiction, the deemed small school shall be deemed to be located more than 32 kilometres by road but less than 80 kilometres by road from all other elementary schools of the board.

(16) The school size factor for a small secondary school shall be determined as follows:

1. For a school with an average number of pupils per grade that is less than 20, the school size factor is 0.45.
2. For a school with an average number of pupils per grade that is 20 or more but not more than 60, the school size factor shall be determined on a sliding scale as follows:
 - i. Divide 60 by the average number of pupils per grade.
 - ii. Multiply the result obtained under subparagraph i by 0.15.

2. Pour une école d'un conseil scolaire de district de langue anglaise située à plus de 32 kilomètres mais à moins de 80 kilomètres par route des autres écoles élémentaires du conseil, le facteur d'éloignement est de 1,25.
3. Pour les autres écoles d'un conseil scolaire de district de langue anglaise, le facteur d'éloignement est de 1.
4. Pour une école d'un conseil scolaire de district de langue française située à au moins 80 kilomètres par route des autres écoles élémentaires du conseil situées dans la même partie de son territoire de compétence, le facteur d'éloignement est de 1,5.
5. Pour une école d'un conseil scolaire de district de langue française située à plus de 32 kilomètres mais à moins de 80 kilomètres par route des autres écoles élémentaires du conseil situées dans la même partie de son territoire de compétence, le facteur d'éloignement est de 1,25.
6. Pour les autres écoles d'un conseil scolaire de district de langue française, le facteur d'éloignement est de 1.

(15) Les règles suivantes s'appliquent pour l'application du paragraphe (14) si un groupe de deux écoles ou plus d'un conseil est réputé, aux termes du paragraphe (8) ou (9), une seule petite école :

1. Dans le cas d'écoles élémentaires d'un conseil scolaire de district de langue anglaise, si une ou plusieurs des écoles du groupe sont situées à au moins 80 kilomètres par route des écoles élémentaires du conseil qui ne font pas partie du groupe, la petite école réputée telle est réputée située à au moins 80 kilomètres par route des autres écoles élémentaires du conseil.
2. Sauf dans les cas où s'applique la disposition 1, dans le cas d'écoles élémentaires d'un conseil scolaire de district de langue anglaise, si une ou plusieurs des écoles du groupe sont situées à plus de 32 kilomètres par route des écoles élémentaires du conseil qui ne font pas partie du groupe, la petite école réputée telle est réputée située à plus de 32 kilomètres mais à moins de 80 kilomètres par route des autres écoles élémentaires du conseil.
3. Dans le cas d'écoles élémentaires d'un conseil scolaire de district de langue française, si une ou plusieurs des écoles du groupe sont situées à au moins 80 kilomètres par route des écoles élémentaires du conseil qui ne font pas partie du groupe mais qui sont situées dans la même partie du territoire de compétence du conseil, la petite école réputée telle est réputée située à au moins 80 kilomètres par route des autres écoles élémentaires du conseil.
4. Sauf dans les cas où s'applique la disposition 3, dans le cas d'écoles élémentaires d'un conseil scolaire de district de langue française, si une ou plusieurs des écoles du groupe sont situées à plus de 32 kilomètres par route des écoles élémentaires du conseil qui ne font pas partie du groupe mais qui sont situées dans la même partie du territoire de compétence du conseil, la petite école réputée telle est réputée située à plus de 32 kilomètres mais à moins de 80 kilomètres par route des autres écoles élémentaires du conseil.

(16) Le facteur de l'effectif de l'école pour une petite école secondaire est calculé de la manière suivante :

1. Pour une école dont le nombre moyen d'élèves par année d'études est inférieur à 20, le facteur de l'effectif de l'école est de 0,45.
2. Pour une école dont le nombre moyen d'élèves par année d'études est d'au moins 20 et d'au plus 60, le facteur de l'effectif de l'école est calculé en fonction d'une échelle mobile, de la manière suivante :
 - i. Diviser 60 par le nombre moyen d'élèves par année d'études.
 - ii. Multiplier le résultat obtenu aux termes de la sous-disposition i par 0,15.

3. For a school with an average number of pupils per grade that is more than 60 but less than 120, the school size factor shall be determined on a sliding scale as follows:

- i. Subtract 60 from the average number of pupils per grade.
- ii. Divide the result obtained under subparagraph i by 60.
- iii. Subtract the result obtained under subparagraph ii from one.
- iv. Multiply the result obtained under subparagraph iii by 0.15.

(17) The remoteness factor for a small secondary school shall be determined as follows:

1. For a school of an English-language district school board that has an average number of pupils per grade that is less than 20 and that is located 80 kilometres or more by road from all other secondary schools of the board, the remoteness factor is 2.0.
2. For a school of an English-language district school board that has an average number of pupils per grade that is 20 or more but less than 120, and that is located 80 kilometres or more by road from all other secondary schools of the board, the remoteness factor shall be determined as follows:
 - i. Add 20 to the average number of pupils per grade.
 - ii. Divide 40 by the sum obtained under subparagraph i.
 - iii. Add one to the result obtained under subparagraph ii.
3. For all other small secondary schools of an English-language district school board, the remoteness factor is 1.0.
4. For a school of a French-language district school board that has an average number of pupils per grade that is less than 20 and that is located 80 kilometres or more by road from all other secondary schools of the board that are located in the same portion of the board's area of jurisdiction, the remoteness factor is 2.0.
5. For a school of a French-language district school board that has an average number of pupils per grade that is 20 or more but less than 120, and that is located 80 kilometres or more by road from all other secondary schools of the board that are located in the same portion of the board's area of jurisdiction, the remoteness factor shall be determined as follows:
 - i. Add 20 to the average number of pupils per grade.
 - ii. Divide 40 by the sum obtained under subparagraph i.
 - iii. Add one to the result obtained under subparagraph ii.
6. For all other small secondary schools of a French-language district school board, the remoteness factor is 1.0.

REMOTE AND RURAL ALLOCATION

30. For the purposes of paragraph 2 of section 11, the amount of the remote and rural allocation for a district school board shall be determined as follows:

1. Determine the per pupil distance amount for the board, in accordance with the following:

3. Pour une école dont le nombre moyen d'élèves par année d'études est supérieur à 60 mais inférieur à 120, le facteur de l'effectif de l'école est calculé en fonction d'une échelle mobile, de la manière suivante :

- i. Soustraire 60 du nombre moyen d'élèves par année d'études.
- ii. Diviser le résultat obtenu aux termes de la sous-disposition i par 60.
- iii. Soustraire le résultat obtenu aux termes de la sous-disposition ii de un.
- iv. Multiplier le résultat obtenu aux termes de la sous-disposition iii par 0,15.

(17) Le facteur d'éloignement pour une petite école secondaire est calculé de la manière suivante :

1. Pour une école d'un conseil scolaire de district de langue anglaise dont le nombre moyen d'élèves par année d'études est inférieur à 20 et qui est située à au moins 80 kilomètres par route des autres écoles secondaires du conseil, le facteur d'éloignement est de 2.
2. Pour une école d'un conseil scolaire de district de langue anglaise dont le nombre moyen d'élèves par année d'études est d'au moins 20 mais inférieur à 120 et qui est située à au moins 80 kilomètres par route des autres écoles secondaires du conseil, le facteur d'éloignement est calculé de la manière suivante :
 - i. Ajouter 20 au nombre moyen d'élèves par année d'études.
 - ii. Diviser 40 par la somme obtenue aux termes de la sous-disposition i.
 - iii. Ajouter un au résultat obtenu aux termes de la sous-disposition ii.
3. Pour les autres petites écoles secondaires d'un conseil scolaire de district de langue anglaise, le facteur d'éloignement est de 1.
4. Pour une école d'un conseil scolaire de district de langue française dont le nombre moyen d'élèves par année d'études est inférieur à 20 et qui est située à au moins 80 kilomètres par route des autres écoles secondaires du conseil situées dans la même partie de son territoire de compétence, le facteur d'éloignement est de 2.
5. Pour une école d'un conseil scolaire de district de langue française dont le nombre moyen d'élèves par année d'études est d'au moins 20 mais inférieur à 120 et qui est située à au moins 80 kilomètres par route des autres écoles secondaires du conseil situées dans la même partie de son territoire de compétence, le facteur d'éloignement est calculé de la manière suivante :
 - i. Ajouter 20 au nombre moyen d'élèves par année d'études.
 - ii. Diviser 40 par la somme obtenue aux termes de la sous-disposition i.
 - iii. Ajouter un au résultat obtenu aux termes de la sous-disposition ii.
6. Pour les autres petites écoles secondaires d'un conseil scolaire de district de langue française, le facteur d'éloignement est de 1.

ÉLÉMENT CONSEILS RURAUX ET ÉLOIGNÉS

30. Pour l'application de la disposition 2 de l'article 11, l'élément conseils ruraux et éloignés pour un conseil scolaire de district est calculé de la manière suivante :

1. Calculer la somme par élève liée à la distance pour le conseil conformément à ce qui suit :

- i. If the distance specified for the board in Column 2 of Table 3 is less than 151 kilometres, the per pupil distance amount is zero.
 - ii. If the distance specified for the board in Column 2 of Table 3 is 151 kilometres or more but less than 650 kilometres, the per pupil distance amount shall be determined by subtracting 150 from that distance and multiplying the result by \$0.962.
 - iii. If the distance specified for the board in Column 2 of Table 3 is 650 kilometres or more but less than 1,150 kilometres, the per pupil distance amount shall be determined as follows: Subtract 650 from that distance. Multiply the result by \$0.134. Add \$481 to the product.
 - iv. If the distance specified for the board in Column 2 of Table 3 is 1,150 kilometres or more, the per pupil distance amount is \$548.
2. Multiply the per pupil distance amount determined for the board under paragraph 1 by the urban factor specified for the board in Column 3 of Table 3.
 3. Determine the per pupil sparsity amount for the board in accordance with the following:
 - i. Determine the pupil density by dividing the 1999-2000 day school average daily enrolment for the board, as determined under section 2 of the 1999-2000 A.D.E. regulation, not counting pupils who are 21 years of age or more on December 31, 1999, by the board's area in square kilometres, as specified in the Schedule to Ontario Regulation 250/97.
 - ii. If the number determined under subparagraph i is less than one, the per pupil sparsity amount shall be determined by subtracting that number from one and multiplying the result by \$400.
 - iii. If the number determined under subparagraph i is one or greater than one, the per pupil sparsity amount is zero.
 4. Add the per pupil sparsity amount determined for the board under paragraph 3 to the amount determined for the board under paragraph 2.
 5. Multiply the amount obtained under paragraph 4 by the 1999-2000 day school average daily enrolment of pupils of the board.

LEARNING OPPORTUNITIES ALLOCATION

31. For the purposes of paragraph 2 of section 11, the amount of the learning opportunities allocation for a district school board shall be the amount set out in Column 2 of Table 4, opposite the name of the board.

SUMMER SCHOOL REMEDIAL ALLOCATION

32. (1) For the purposes of paragraph 2 of section 11, the amount of the summer school remedial allocation for a district school board shall be determined as follows:

1. Determine the summer school average daily enrolment for the board for the 1999-2000 fiscal year in accordance with section 4 of the 1999-2000 A.D.E. regulation, counting only pupils of the board enrolled in classes or courses described in subclause (b) (iii) of the definition of "summer school class or course" in subsection 4 (1) of that regulation.
2. Multiply the number determined under paragraph 1 by \$2,257.

- i. Si la distance précisée pour le conseil à la colonne 2 du tableau 3 est inférieure à 151 kilomètres, la somme par élève liée à la distance est nulle.
 - ii. Si la distance précisée pour le conseil à la colonne 2 du tableau 3 est égale ou supérieure à 151 kilomètres mais inférieure à 650 kilomètres, la somme par élève liée à la distance est calculée en soustrayant 150 de cette distance et en multipliant le résultat par 0,962 \$.
 - iii. Si la distance précisée pour le conseil à la colonne 2 du tableau 3 est égale ou supérieure à 650 kilomètres, mais inférieure à 1 150 kilomètres, la somme par élève liée à la distance est calculée de la manière suivante : Soustraire 650 de cette distance. Multiplier le résultat par 0,134 \$. Ajouter 481 \$ au produit.
 - iv. Si la distance précisée pour le conseil à la colonne 2 du tableau 3 est égale ou supérieure à 1 150 kilomètres, la somme par élève liée à la distance est de 548 \$.
2. Multiplier la somme par élève liée à la distance calculée pour le conseil aux termes de la disposition 1 par le facteur urbain précisé pour le conseil à la colonne 3 du tableau 3.
 3. Calculer la somme par élève liée à l'éparpillement de la population scolaire pour le conseil conformément à ce qui suit :
 - i. Calculer la densité de la population scolaire en divisant l'effectif quotidien moyen de jour du conseil pour 1999-2000, calculé aux termes de l'article 2 du règlement sur l'effectif quotidien moyen de 1999-2000 en ne comptant pas les élèves qui sont âgés de 21 ans ou plus le 31 décembre 1999, par la superficie en kilomètres carrés du conseil, précisée à l'annexe du Règlement de l'Ontario 250/97.
 - ii. Si le nombre calculé aux termes de la sous-disposition i est inférieur à un, la somme par élève liée à l'éparpillement de la population scolaire est calculée en soustrayant ce nombre de un et en multipliant le résultat par 400 \$.
 - iii. Si le nombre calculé aux termes de la sous-disposition i est égal ou supérieur à un, la somme par élève liée à l'éparpillement de la population scolaire est nulle.
 4. Ajouter la somme par élève liée à l'éparpillement de la population scolaire calculée pour le conseil aux termes de la disposition 3 à la somme calculée pour le conseil aux termes de la disposition 2.
 5. Multiplier la somme obtenue aux termes de la disposition 4 par l'effectif quotidien moyen de jour des élèves du conseil pour 1999-2000.

ÉLÉMENT PROGRAMMES D'AIDE À L'APPRENTISSAGE

31. Pour l'application de la disposition 2 de l'article 11, l'élément programmes d'aide à l'apprentissage pour un conseil scolaire de district correspond à la somme qui figure à la colonne 2 du tableau 4, en regard du nom du conseil.

ÉLÉMENT COURS D'ÉTÉ DE RATTRAPAGE

32. (1) Pour l'application de la disposition 2 de l'article 11, l'élément cours d'été de rattrapage pour un conseil scolaire de district est calculé de la manière suivante :

1. Calculer l'effectif quotidien moyen des cours d'été du conseil pour l'exercice 1999-2000 conformément à l'article 4 du règlement sur l'effectif quotidien moyen de 1999-2000, en ne comptant que les élèves du conseil qui sont inscrits à des classes ou à des cours visés au sous-alinéa b) (iii) de la définition de «classe ou cours d'été» au paragraphe 4 (1) de ce règlement.
2. Multiplier le nombre calculé aux termes de la disposition 1 par 2 257 \$.

3. Add the amount determined for the board under subsection (2) on account of transportation costs related to summer school remedial instruction.

(2) For the purposes of paragraph 3 of subsection (2), an amount on account of transportation costs related to summer school remedial instruction shall be determined for the board as follows:

1. Take the amount of the transportation allocation determined for the board under section 36.
2. Deduct the amount approved for the board under paragraph 7 of section 36.
3. Divide the result obtained under paragraph 2 by the 1999-2000 day school average daily enrolment of pupils of the board.
4. Multiply the result obtained under paragraph 3 by the enrolment amount determined under paragraph 1 of subsection (1).

ADULT EDUCATION, CONTINUING EDUCATION AND SUMMER SCHOOL ALLOCATION

33. (1) For the purposes of paragraph 2 of section 11, the amount of the adult education, continuing education and summer school allocation for a district school board shall be determined as follows:

1. Determine the day school average daily enrolment for the board for the 1999-2000 fiscal year, in accordance with section 2 of the 1999-2000 A.D.E. regulation, counting only pupils of the board who are 21 years of age or more on December 31, 1999.
2. Determine the continuing education average daily enrolment for the board for the 1999-2000 fiscal year, in accordance with section 3 of the 1999-2000 A.D.E. regulation, excluding pupils to whom subsection 49 (6) of the Act applies and pupils in respect of whom the board charges a fee under subsection 8 (2) of the 1999-2000 fees regulation.
3. Determine the summer school average daily enrolment for the board for the 1999-2000 fiscal year, in accordance with section 4 of the 1999-2000 A.D.E. regulation, counting only pupils enrolled in classes or courses described in subclause (b) (i) or (ii) of the definition of "summer school course or class" in subsection 4 (1) of that regulation, excluding pupils to whom subsection 49 (6) applies and pupils in respect of whom the board charges a fee under subsection 8 (3) of the 1999-2000 fees regulation.
4. Add the numbers determined under paragraphs 1, 2 and 3.
5. Multiply the total determined under paragraph 4 by \$2,257.
6. Determine the amount for international languages for the board, in accordance with subsections (2) to (4).
7. Total the amounts determined under paragraphs 5 and 6.

(2) Subsections (3) and (4) apply where a board establishes classes to provide instruction in a language other than English or French and the classes have been approved by the Minister as being part of an international languages elementary school program.

(3) Except as provided in subsection (4), the amount for international languages for the board shall be the number of hours of instruction provided by the board in classes described in subsection (2), multiplied by \$41.

3. Ajouter la somme calculée pour le conseil aux termes du paragraphe (2) au titre des frais de transport liés aux cours d'été de rattrapage.

(2) Pour l'application de la disposition 3 du paragraphe (2), une somme au titre des frais de transport liés aux cours d'été de rattrapage est calculée pour le conseil de la manière suivante :

1. Prendre l'élément transport des élèves calculé pour le conseil aux termes de l'article 36.
2. Déduire la somme approuvée pour le conseil aux termes de la disposition 7 de l'article 36.
3. Diviser le résultat obtenu aux termes de la disposition 2 par l'effectif quotidien moyen de jour des élèves du conseil pour 1999-2000.
4. Multiplier le résultat obtenu aux termes de la disposition 3 par l'effectif calculé aux termes de la disposition 1 du paragraphe (1).

ÉLÉMENT ÉDUCATION DES ADULTES, ÉDUCATION PERMANENTE ET COURS D'ÉTÉ

33. (1) Pour l'application de la disposition 2 de l'article 11, l'élément éducation des adultes, éducation permanente et cours d'été pour un conseil scolaire de district est calculé de la manière suivante :

1. Calculer l'effectif quotidien moyen de jour du conseil pour l'exercice 1999-2000 conformément à l'article 2 du règlement sur l'effectif quotidien moyen de 1999-2000, en ne comptant que les élèves du conseil qui sont âgés de 21 ans ou plus le 31 décembre 1999.
2. Calculer l'effectif quotidien moyen de l'éducation permanente du conseil pour l'exercice 1999-2000 conformément à l'article 3 du règlement sur l'effectif quotidien moyen de 1999-2000, en excluant les élèves auxquels s'applique le paragraphe 49 (6) de la Loi et ceux à l'égard desquels le conseil impose des droits aux termes du paragraphe 8 (2) du règlement sur les droits de 1999-2000.
3. Calculer l'effectif quotidien moyen des cours d'été du conseil pour l'exercice 1999-2000 conformément à l'article 4 du règlement sur l'effectif quotidien moyen de 1999-2000, en ne comptant que les élèves inscrits à des classes ou à des cours visés au sous-alinéa b) (i) ou (ii) de la définition de «classe ou cours d'été» au paragraphe 4 (1) de ce règlement et en excluant les élèves auxquels s'applique le paragraphe 49 (6) et ceux à l'égard desquels le conseil impose des droits aux termes du paragraphe 8 (3) du règlement sur les droits de 1999-2000.
4. Additionner les nombres calculés aux termes des dispositions 1, 2 et 3.
5. Multiplier le total obtenu aux termes de la disposition 4 par 2 257 \$.
6. Calculer la somme liée aux programmes de langues internationales, conformément aux paragraphes (2) à (4).
7. Additionner les sommes calculées aux termes des dispositions 5 et 6.

(2) Les paragraphes (3) et (4) s'appliquent si un conseil crée des classes pour dispenser un enseignement dans une langue autre que l'anglais ou le français et que le ministre approuve les classes en tant que partie d'un programme scolaire élémentaire de langues d'origine.

(3) Sous réserve du paragraphe (4), la somme liée aux programmes de langues d'origine pour le conseil correspond au produit de 41 \$ et du nombre d'heures d'enseignement que le conseil dispense dans les classes visées au paragraphe (2).

(4) Where the quotient obtained by dividing the number of elementary school pupils enrolled in classes described in subsection (2) that have been established by the board by the number of such classes is less than 25, the \$41 per hour rate specified in subsection (3) shall be reduced by the product of \$1 and the difference between the quotient and 25.

TEACHER COMPENSATION ALLOCATION

34. (1) In this section,

"OSSTF" stands for the Ontario Secondary School Teachers' Federation; ("FEESO")

"OSSTF certification" means the OSSTF certification of Group 1, Group 2, Group 3 or Group 4; ("certification de la FEESO")

"qualification category" means OSSTF certification or QECO category; ("catégorie de qualifications")

"QECO" stands for Qualifications Evaluation Council of Ontario; ("COEQ")

"QECO category" means the QECO category D, C, B, A1, A2, A3 or A4; ("catégorie du COEQ")

"teacher" includes a temporary teacher and does not include an occasional teacher. ("enseignant")

(2) In this section, a cell of Table 5 is referred to by its qualification category co-ordinate followed by the number co-ordinate representing full years of teaching experience.

(3) For example, cell C-1 of Table 5 contains the number 0.6127 and cell A1/Group 1-3 contains the number 0.7416.

(4) For the purposes of this section, the number of teachers employed by a board is the full-time equivalent number of persons employed by the board as of October 31, 1999 to teach.

(5) For the purposes of subsection (4), the counting practices usually followed by the board for staffing purposes shall be followed, subject to the following rules:

1. A teacher who is not assigned to provide instruction to pupils in a regular timetable that is in effect as of October 31, 1999 shall not be counted for the purposes of this section.
2. The provision of library instruction or guidance to pupils shall be considered the provision of instruction to pupils for the purposes of paragraphs 1, 3 and 4.
3. Where a teacher is assigned in a regular timetable that is in effect as of October 31, 1999 to spend part of his or her time providing instruction to pupils and is also assigned, as of that date, under section 17 of Regulation 298 of the Revised Regulations of Ontario, 1990, to spend part of his or her time acting as a consultant, co-ordinator or supervisor, the full-time equivalency for the teacher shall be determined as follows:
 - i. Determine the average number of hours per day in the cycle that includes October 31, 1999 for which the teacher is regularly scheduled, in accordance with the timetable, to provide instruction to pupils or to prepare for such instruction. For the purposes of this subparagraph, a count of hours shall be accurate to one decimal place.
 - ii. Divide the total determined under subparagraph i by five.

(4) Si le quotient obtenu en divisant le nombre d'élèves de l'élémentaire inscrits aux classes visées au paragraphe (2) que le conseil a créées par le nombre de ces classes est inférieur à 25, le taux horaire de 41 \$ précisé au paragraphe (3) est réduit du produit de 1 \$ et de la différence du quotient et de 25.

ÉLÉMENT RÉMUNÉRATION DES ENSEIGNANTS

34. (1) Les définitions qui suivent s'appliquent au présent article.

«catégorie de qualifications» S'entend de la certification de la FEESO ou d'une catégorie du COEQ. («qualification category»)

«catégorie du COEQ» S'entend de la catégorie D, C, B, A1, A2, A3 ou A4 du COEQ. («QECO category»)

«certification de la FEESO» S'entend de la certification de groupe 1, de groupe 2, de groupe 3 ou de groupe 4 octroyée par la FEESO. («OSSTF certification»)

«COEQ» Le Conseil ontarien d'évaluation des qualifications. («QECO»)

«enseignant» S'entend en outre des enseignants temporaires, mais non des enseignants suppléants. («teacher»)

«FEESO» La Fédération des enseignantes-enseignants des écoles secondaires de l'Ontario. («OSSTF»)

(2) Au présent article, les cases du tableau 5 sont désignées par leur abscisse (la catégorie de qualifications), suivie de leur ordonnée (le nombre qui représente les années complètes d'expérience en enseignement).

(3) Par exemple, la case C-1 du tableau 5 contient le nombre 0,6127 et la case A1/Groupe 1-3, le nombre 0,7416.

(4) Pour l'application du présent article, le nombre d'enseignants employés par un conseil correspond au nombre de personnes à temps plein ou l'équivalent que le conseil emploie au 31 octobre 1999 pour enseigner.

(5) Pour l'application du paragraphe (4), le dénombrement se fait selon les méthodes que le conseil utilise habituellement aux fins de la dotation, sous réserve des règles suivantes :

1. L'enseignant qui n'est pas affecté à l'enseignement aux élèves dans le cadre d'un emploi du temps régulier qui est en vigueur au 31 octobre 1999 ne doit pas être dénombré pour l'application du présent article.
2. La prestation de l'enseignement en bibliothèque ou de l'orientation aux élèves est considérée comme la prestation d'un enseignement aux élèves pour l'application des dispositions 1, 3 et 4.
3. L'équivalence à temps plein de l'enseignant qui, dans le cadre d'un emploi du temps régulier qui est en vigueur au 31 octobre 1999, est affecté, une partie du temps, à l'enseignement aux élèves et qui, à cette date, est également affecté, une autre partie du temps, aux termes de l'article 17 du Règlement 298 des Règlements refondus de l'Ontario de 1990, à un poste de conseiller, de coordonnateur ou de superviseur, est calculée de la manière suivante :
 - i. Calculer le nombre moyen d'heures par jour de l'horaire qui inclut le 31 octobre 1999 auxquelles l'enseignant est affecté régulièrement, conformément à son emploi du temps, pour dispenser l'enseignement aux élèves ou pour préparer cet enseignement. Pour l'application de la présente sous-disposition, le dénombrement des heures se fait à une décimale près.
 - ii. Diviser le total calculé aux termes de la sous-disposition i par cinq.

4. Where a principal or vice-principal is assigned in a regular timetable that is in effect as of October 31, 1999 to spend part of his or her time providing instruction to pupils, the principal or vice-principal shall be counted as a teacher for the purposes of this section and his or her full-time equivalency as a teacher shall be determined as follows:

- i. Determine the average number of hours per day in the cycle that includes October 31, 1999 for which the principal or vice-principal is regularly scheduled, in accordance with the timetable, to provide instruction to pupils. For the purposes of this subsection, a count of hours shall be accurate to one decimal place.
- ii. Divide the number determined under subparagraph i by five.

(6) Subject to subsections (7) and (8), when determining the number of full years of teaching experience of a teacher employed by a board, the counting practices usually followed by the board when counting the amount of teaching experience shall be applied, as of October 31, 1999.

(7) Where the number of full years of teaching experience of a teacher exceeds 10, as determined under subsection (6), the number of full years of teaching experience of the teacher shall be deemed to be 10.

(8) The number of full years of teaching experience of a principal or vice-principal shall be deemed to be 10.

(9) The following rules shall be applied, as of October 31, 1999, to determine the qualification category of a teacher:

1. If a board uses a QECO categories system for salary purposes in relation to a teacher employed by it, that QECO categories system shall be used for that teacher for the purposes of this section.
2. If a board uses an OSSTF certification system for salary purposes in relation to a teacher employed by it, that OSSTF certification system shall be used for that teacher for the purposes of this section.
3. Subject to paragraph 5, if a board does not use a QECO categories system for salary purposes in relation to an elementary school teacher employed by it, the classification system used by the board for elementary school teachers in filling out the Education Relations Commission Data Form A for 1999 shall be used for that teacher for the purposes of this section.
4. Subject to paragraph 5, if a board does not use a QECO categories system or an OSSTF certification system for salary purposes in relation to a secondary school teacher employed by it, the classification system used by the board for secondary school teachers in filling out the Education Relations Commission Data Form A for 1999 shall be used for that teacher for the purposes of this section.
5. In the circumstances described in paragraph 3 or 4, the board may elect, by written notice to the Minister, to use the QECO categories system referred to by QECO as QECO Programme Level 4 or the 1992 OSSTF certification system, instead of the classification system determined under paragraph 3 or 4.
6. The qualification category of a principal or vice-principal shall be deemed to be A4/Group 4.
7. If the qualification category of a person is changed after October 31, 1999 and the change for salary purposes is retroactive to

4. Le directeur d'école ou le directeur adjoint qui, dans le cadre d'un emploi du temps régulier qui est en vigueur au 31 octobre 1999, est affecté, une partie du temps, à l'enseignement aux élèves est dénombré comme enseignant pour l'application du présent article et son équivalence à temps plein à titre d'enseignant est calculée de la manière suivante :

- i. Calculer le nombre moyen d'heures par jour de l'horaire qui inclut le 31 octobre 1999 auxquelles le directeur d'école ou le directeur adjoint est affecté régulièrement, conformément à son emploi du temps, pour dispenser l'enseignement aux élèves. Pour l'application du présent paragraphe, le dénombrement des heures se fait à une décimale près.
- ii. Diviser le nombre calculé aux termes de la sous-disposition i par cinq.

(6) Sous réserve des paragraphes (7) et (8), lors du calcul du nombre d'années complètes d'expérience en enseignement d'un enseignant employé par un conseil, les méthodes utilisées habituellement par le conseil pour calculer les années d'expérience en enseignement sont appliquées à compter du 31 octobre 1999.

(7) Le nombre d'années complètes d'expérience en enseignement d'un enseignant, calculé aux termes du paragraphe (6), est réputé être de 10 s'il est supérieur à ce chiffre.

(8) Le nombre d'années complètes d'expérience en enseignement d'un directeur d'école ou d'un directeur adjoint est réputé être de 10.

(9) Les règles suivantes s'appliquent, à compter du 31 octobre 1999, en vue d'établir la catégorie de qualifications d'un enseignant :

1. Si un conseil utilise le système de catégories du COEQ aux fins de l'établissement du salaire d'un enseignant qu'il emploie, ce système est utilisé à l'égard de cet enseignant pour l'application du présent article.
2. Si un conseil utilise le système de certification de la FEESO aux fins de l'établissement du salaire d'un enseignant qu'il emploie, ce système est utilisé à l'égard de cet enseignant pour l'application du présent article.
3. Sous réserve de la disposition 5, si un conseil n'utilise pas le système de catégories du COEQ aux fins de l'établissement du salaire d'un enseignant de l'élémentaire qu'il emploie, le système de classification qu'il utilise dans le cas des enseignants de l'élémentaire pour remplir le Formulaire de données A pour 1999 de la Commission des relations de travail en éducation est utilisé à l'égard de cet enseignant pour l'application du présent article.
4. Sous réserve de la disposition 5, si un conseil n'utilise ni le système de catégories du COEQ, ni le système de certification de la FEESO aux fins de l'établissement du salaire d'un enseignant du secondaire qu'il emploie, le système de classification qu'il utilise dans le cas des enseignants du secondaire pour remplir le Formulaire de données A pour 1999 de la Commission des relations de travail en éducation est utilisé à l'égard de cet enseignant pour l'application du présent article.
5. Dans les circonstances visées à la disposition 3 ou 4, le conseil peut choisir, par avis écrit envoyé au ministre, d'utiliser soit le système de catégories du COEQ désigné plan 4 par le COEQ, soit le système de certification de 1992 de la FEESO, au lieu du système de classification utilisé aux termes de la disposition 3 ou 4.
6. La catégorie de qualifications d'un directeur d'école ou d'un directeur adjoint est réputée correspondre à A4/Groupe 4.
7. Si la catégorie de qualifications à laquelle appartient une personne est changée après le 31 octobre 1999 et que le changement,

October 31, 1999 or earlier, the changed qualification category shall be used for the purposes of this section.

(10) For the purposes of paragraph 2 of section 11, the amount of the teacher compensation allocation for a district school board is the total of the amount calculated under subsection (11) and the amount calculated under subsection (12).

(11) The amount of the elementary school teacher compensation allocation for a district school board shall be determined as follows:

1. For each cell in Table 5, determine the number of teachers employed by the board to provide instruction to elementary school pupils who have the qualification category and the number of full years of teaching experience that correspond with the co-ordinates of the cell. For example, a teacher with a qualification category of D and six months of teaching experience shall be counted for the purposes of cell D-0 and a teacher with a qualification category of A2 or Group 2 and three years and seven months of teaching experience shall be counted for the purposes of cell A2/Group 2-3.
2. For each cell in Table 5, multiply the number of teachers employed by the board to provide instruction to elementary school pupils who are counted for the purposes of the cell by the number set out in that cell in Table 5.
3. Add all the products obtained under paragraph 2 for the board.
4. Divide the sum obtained under paragraph 3 by the total number of teachers employed by the board to provide instruction to elementary school pupils.
5. Subtract one from the number obtained under paragraph 4.
6. Multiply the result obtained under paragraph 5 by \$2,548.
7. Multiply the amount determined under paragraph 6 by the 1999-2000 day school average daily enrolment of elementary school pupils of the board.

(12) The amount of the secondary school teacher compensation allocation for a district school board shall be determined as follows:

1. For each cell in Table 5, determine the number of teachers employed by the board to provide instruction to secondary school pupils who have the qualification category and the number of full years of teaching experience that correspond with the co-ordinates of the cell. For example, a teacher with a qualification category of D and six months of teaching experience shall be counted for the purposes of cell D-0 and a teacher with a qualification category of A2 or Group 2 and three years and seven months of teaching experience shall be counted for the purposes of cell A2/Group 2-3.
2. For each cell in Table 5, multiply the number of teachers employed by the board to provide instruction to secondary school pupils who are counted for the purposes of the cell by the number set out in that cell in Table 5.
3. Add all the products obtained under paragraph 2 for the board.
4. Divide the sum obtained under paragraph 3 by the total number of teachers employed by the board to provide instruction to secondary school pupils.
5. Subtract one from the number obtained under paragraph 4.

aux fins de l'établissement de son salaire, est rétroactif au 31 octobre 1999 ou à une date antérieure, la nouvelle catégorie de qualifications est utilisée pour l'application du présent article.

(10) Pour l'application de la disposition 2 de l'article 11, l'élément rémunération des enseignants pour un conseil scolaire de district correspond au total de la somme calculée aux termes du paragraphe (11) et de celle calculée aux termes du paragraphe (12).

(11) L'élément rémunération des enseignants des écoles élémentaires pour un conseil scolaire de district est calculé de la manière suivante :

1. Pour chaque case du tableau 5, calculer le nombre des enseignants qui sont employés par le conseil pour dispenser l'enseignement aux élèves de l'élémentaire et qui, à la fois, appartiennent à la catégorie de qualifications et ont le nombre d'années complètes d'expérience en enseignement correspondant à ses coordonnées de la case. Par exemple, l'enseignant qui appartient à la catégorie de qualifications D et qui a six mois d'expérience en enseignement est affecté à la case D-0 et celui qui appartient à la catégorie de qualifications A2 ou Groupe 2 et qui a trois ans et sept mois d'expérience en enseignement est affecté à la case A2/Groupe 2-3.
2. Pour chaque case du tableau 5, multiplier le nombre des enseignants qui sont employés par le conseil pour dispenser l'enseignement aux élèves de l'élémentaire et qui y sont affectés par le nombre qui y figure.
3. Additionner tous les produits obtenus aux termes de la disposition 2 pour le conseil.
4. Diviser le total obtenu aux termes de la disposition 3 par le nombre total des enseignants qui sont employés par le conseil pour dispenser l'enseignement aux élèves de l'élémentaire.
5. Soustraire un du nombre obtenu aux termes de la disposition 4.
6. Multiplier le résultat obtenu aux termes de la disposition 5 par 2 548 \$.
7. Multiplier la somme calculée aux termes de la disposition 6 par l'effectif quotidien moyen de jour des élèves de l'élémentaire du conseil pour 1999-2000.

(12) L'élément rémunération des enseignants des écoles secondaires pour un conseil scolaire de district est calculé de la manière suivante :

1. Pour chaque case du tableau 5, calculer le nombre des enseignants qui sont employés par le conseil pour dispenser l'enseignement aux élèves du secondaire et qui, à la fois, appartiennent à la catégorie de qualifications et ont le nombre d'années complètes d'expérience en enseignement correspondant à ses coordonnées de la case. Par exemple, l'enseignant qui appartient à la catégorie de qualifications D et qui a six mois d'expérience en enseignement est affecté à la case D-0 et celui qui appartient à la catégorie de qualifications A2 ou Groupe 2 et qui a trois ans et sept mois d'expérience en enseignement est affecté à la case A2/Groupe 2-3.
2. Pour chaque case du tableau 5, multiplier le nombre des enseignants qui sont employés par le conseil pour dispenser l'enseignement aux élèves du secondaire et qui y sont affectés par le nombre qui y figure.
3. Additionner tous les produits obtenus aux termes de la disposition 2 pour le conseil.
4. Diviser le total obtenu aux termes de la disposition 3 par le nombre total des enseignants qui sont employés par le conseil pour dispenser l'enseignement aux élèves du secondaire.
5. Soustraire un du nombre obtenu aux termes de la disposition 4.

6. Multiply the result obtained under paragraph 5 by \$2,956.
7. Multiply the amount determined under paragraph 6 by the 1999-2000 day school average daily enrolment of secondary school pupils of the board.
8. Determine the special assistance amount, if any, for a high credit per pupil average, in accordance with subsection (13).
9. Add the amounts determined under paragraphs 7 and 8.

(13) For the purposes of paragraph 8 of subsection (12), the special assistance amount for a high credit per pupil average shall be determined as follows:

1. Determine the average number of credits per secondary school pupil of the board for the 1998-99 school year.
2. If the number determined under paragraph 1 is 7.5 or less but more than 7.2, deduct 7.2 from the number determined under paragraph 1.
3. If the number determined under paragraph 1 is more than 7.5, deduct 7.2 from 7.5.
4. Divide the number obtained under paragraph 2 or 3, as the case may be, by 7.2.
5. Multiply the number obtained under paragraph 4 by \$2,748.
6. Multiply the amount obtained under paragraph 5 by the 1999-2000 day school average daily enrolment of secondary school pupils of the board.

EARLY LEARNING ALLOCATION

35. (1) For the purposes of paragraph 2 of section 11, the amount of the early learning allocation for a district school board shall be determined in accordance with this section.

(2) If a board does not provide instruction in junior kindergarten in any of its schools in September of 1999, the amount of the early learning allocation for the board shall be determined as follows:

1. Determine the day school average daily enrolment for the board, counting only pupils of the board enrolled in any of kindergarten and grades one to three.
2. Multiply the number determined under paragraph 1 by \$609.

(3) If a board provides instruction in junior kindergarten in one or more of its schools in September of 1999, the amount of the early learning allocation for the board shall be determined as follows:

1. Determine the day school average daily enrolment for the board, counting only pupils of the board enrolled in any of kindergarten and grades one to three.
2. Multiply the number determined under paragraph 1 by \$609.
3. Determine the 1999-2000 allocation per elementary school pupil of the board, in accordance with subsection (4).
4. Multiply the amount determined under paragraph 3 by the day school average daily enrolment for the board, counting only pupils of the board enrolled in junior kindergarten.
5. Deduct the amount determined under paragraph 4 from the amount determined under paragraph 2.

6. Multiplier le résultat obtenu aux termes de la disposition 5 par 2 956 \$.
7. Multiplier la somme calculée aux termes de la disposition 6 par l'effectif quotidien moyen de jour des élèves du secondaire du conseil pour 1999-2000.
8. Calculer la somme éventuelle liée à l'aide spéciale visant une moyenne élevée de crédits par élève, conformément au paragraphe (13).
9. Additionner les sommes calculées aux termes des dispositions 7 et 8.

(13) Pour l'application de la disposition 8 du paragraphe (12), la somme liée à l'aide spéciale visant une moyenne élevée de crédits par élève est calculée de la manière suivante :

1. Calculer le nombre moyen de crédits par élève du secondaire du conseil pour l'année scolaire 1998-1999.
2. Déduire 7,2 du nombre calculé aux termes de la disposition 1 si celui-ci est égal ou inférieur à 7,5 mais supérieur à 7,2.
3. Déduire 7,2 de 7,5 si le nombre calculé aux termes de la disposition 1 est supérieur à 7,5.
4. Diviser le nombre obtenu aux termes de la disposition 2 ou 3, selon le cas, par 7,2.
5. Multiplier le nombre obtenu aux termes de la disposition 4 par 2 748 \$.
6. Multiplier le nombre obtenu aux termes de la disposition 5 par l'effectif quotidien moyen de jour des élèves du secondaire du conseil pour 1999-2000.

ÉLÉMENT APPRENTISSAGE DURANT LES PREMIÈRES ANNÉES D'ÉTUDES

35. (1) Pour l'application de la disposition 2 de l'article 11, l'élément apprentissage durant les premières années d'études pour un conseil scolaire de district est calculé conformément au présent article.

(2) Si un conseil ne dispense un enseignement à la maternelle dans aucune de ses écoles en septembre 1999, l'élément apprentissage durant les premières années d'études pour le conseil est calculé de la manière suivante :

1. Calculer l'effectif quotidien moyen de jour du conseil, en ne comptant que les élèves du conseil inscrits au jardin d'enfants et aux trois premières années d'études.
2. Multiplier le nombre calculé aux termes de la disposition 1 par 609 \$.

(3) Si un conseil offre la maternelle dans une ou plusieurs de ses écoles en septembre 1999, l'élément apprentissage durant les premières années d'études pour le conseil est calculé de la manière suivante :

1. Calculer l'effectif quotidien moyen de jour du conseil, en ne comptant que les élèves du conseil inscrits au jardin d'enfants et aux trois premières années d'études.
2. Multiplier le nombre calculé aux termes de la disposition 1 par 609 \$.
3. Calculer la somme allouée par élève de l'élémentaire du conseil pour 1999-2000, conformément au paragraphe (4).
4. Multiplier la somme calculée aux termes de la disposition 3 par l'effectif quotidien moyen de jour du conseil, en ne comptant que les élèves du conseil inscrits à la maternelle.
5. Déduire la somme obtenue aux termes de la disposition 4 de la somme obtenue aux termes de la disposition 2.

(4) For the purposes of paragraph 3 of subsection (3), the 1999-2000 allocation per elementary school pupil of the board shall be determined as follows:

1. Total the following amounts:
 - i. The remote and rural allocation amount for the board, as determined under section 30.
 - ii. The learning opportunities allocation amount for the board, as determined under section 31.
 - iii. The transportation allocation amount for the board, as determined under section 36.
 - iv. The administration and governance allocation amount for the board, as determined under section 37.
2. Divide the total obtained under paragraph 1 by the 1999-2000 day school average daily enrolment of pupils of the board.
3. Determine an amount on account of the special education allocation for elementary school pupils, as follows:
 - i. Multiply the 1999-2000 day school average daily enrolment of elementary school pupils of the board by \$362.
 - ii. Calculate the part of the equipment ISA determined for the board under paragraph 2 of section 14 that is generated by elementary school pupils of the board.
 - iii. Calculate the part of the amount determined for the board under clause 18 (a) that is generated by individuals who were elementary school pupils in the 1998-1999 school year. Where an adjustment has been made under section 20 to the amount calculated for the board under section 18, the amount calculated for the board under this subparagraph shall be increased or decreased by the amount that the Minister considers appropriate to take account of the adjustment made under section 20.
 - iv. Calculate the part of the amount determined for the board under clause 18 (b) that is generated by elementary school pupils of the board. Where an adjustment has been made under section 20 to the amount calculated for the board under section 18, the amount calculated for the board under this subparagraph shall be increased or decreased by the amount that the Minister considers appropriate to take account of the adjustment made under section 20.
 - v. Total the amounts obtained under subparagraphs i, ii, iii and iv.
4. Take the amount determined in relation to elementary small schools for the board under paragraph 4 of subsection 29 (11).
5. In the case of an English-language district school board, determine an amount on account of the language allocation for elementary school pupils, as follows:
 - i. Add the amount calculated under paragraph 3 of subsection 22 (3) to the amount calculated under paragraph 4 of subsection 22 (3).
 - ii. Calculate the part of the ESL/ESD amount for the board, as calculated under section 24, that is generated by elementary school pupils of the board.
 - iii. Add the amount calculated under subparagraph i to the amount calculated under subparagraph ii.
6. In the case of a French-language district school board, determine an amount on account of the language allocation for elementary school pupils, as follows:

(4) Pour l'application de la disposition 3 du paragraphe (3), la somme allouée par élève de l'élémentaire du conseil pour 1999-2000 est calculée de la manière suivante :

1. Additionner les sommes suivantes :
 - i. L'élément conseils ruraux et éloignés pour le conseil, calculé aux termes de l'article 30.
 - ii. L'élément programmes d'aide à l'apprentissage pour le conseil, calculé aux termes de l'article 31.
 - iii. L'élément transport des élèves pour le conseil, calculé aux termes de l'article 36.
 - iv. L'élément administration et gestion pour le conseil, calculé aux termes de l'article 37.
2. Diviser le total obtenu aux termes de la disposition 1 par l'effectif quotidien moyen de jour des élèves du conseil pour 1999-2000.
3. Calculer la part de l'élément éducation de l'enfance en difficulté qui vise les élèves de l'élémentaire, de la manière suivante :
 - i. Multiplier l'effectif quotidien moyen de jour des élèves de l'élémentaire du conseil pour 1999-2000 par 362 \$.
 - ii. Calculer la part de l'AAS liée au matériel, calculée pour le conseil aux termes de la disposition 2 de l'article 14, qui vise ses élèves de l'élémentaire.
 - iii. Calculer la part de la somme calculée pour le conseil aux termes de l'alinéa 18 a) qui vise les personnes qui étaient des élèves de l'élémentaire pendant l'année scolaire 1998-1999. Si la somme calculée pour le conseil aux termes de l'article 18 a été redressée aux termes de l'article 20, la somme calculée pour le conseil aux termes de la présente sous-disposition est augmentée ou réduite de la somme que le ministre estime indiquée pour prendre en compte ce redressement.
 - iv. Calculer la part de la somme calculée pour le conseil aux termes de l'alinéa 18 b) qui vise les élèves de l'élémentaire du conseil. Si la somme calculée pour le conseil aux termes de l'article 18 a été redressée aux termes de l'article 20, la somme calculée pour le conseil aux termes de la présente sous-disposition est augmentée ou réduite de la somme que le ministre estime indiquée pour prendre en compte ce redressement.
 - v. Additionner les sommes obtenues aux termes des sous-dispositions i, ii, iii et iv.
4. Prendre la somme calculée relativement aux petites écoles élémentaires du conseil aux termes de la disposition 4 du paragraphe 29 (11).
5. Dans le cas d'un conseil scolaire de district de langue anglaise, calculer l'élément enseignement des langues pour les élèves de l'élémentaire, de la manière suivante :
 - i. Additionner la somme calculée aux termes de la disposition 3 du paragraphe 22 (3) et la somme calculée aux termes de la disposition 4 de ce paragraphe.
 - ii. Calculer la part de la somme liée aux programmes d'ESL/ESD pour le conseil, calculée aux termes de l'article 24, qui vise ses élèves de l'élémentaire.
 - iii. Additionner la somme calculée aux termes de la sous-disposition i et la somme calculée aux termes de la sous-disposition ii.
6. Dans le cas d'un conseil scolaire de district de langue française, calculer l'élément enseignement des langues pour les élèves de l'élémentaire, de la manière suivante :

- i. Total the amounts determined for the board under paragraphs 1 and 3 of subsection 26 (1).
 - ii. Divide the total determined for the board under paragraph 7 of subsection 28 (4) by the total number of instructional units determined for the board under paragraph 3 of subsection 28 (4). Multiply the result by the total number of elementary instructional units determined for the board under paragraph 1 of subsection 28 (4).
 - iii. Calculate the part of the PDF funding level for the board, as calculated under subsection 28 (11), that is generated by elementary school pupils of the board.
 - iv. Total the amount taken under subparagraph i, the product obtained under subparagraph ii and the amount calculated under subparagraph iii.
7. Take the amount determined under subsection 34 (11) as the elementary school teacher compensation allocation for the board.
 8. Determine an amount in relation to elementary school operations as follows:
 - i. Multiply the area requirement in metres squared determined for the board under subparagraph i of paragraph 13 of subsection 38 (3), by \$55.97.
 - ii. Add the sum determined under paragraph 16 of subsection 38 (3).
 9. Total the amounts taken or determined for the board under paragraphs 3 to 8.
 10. Divide the total obtained under paragraph 9 by the 1999-2000 day school average daily enrolment of elementary school pupils of the board.
 11. Total the following amounts:
 - i. \$3,367, on account of the foundation allocation.
 - ii. The amount obtained under paragraph 2.
 - iii. The amount obtained under paragraph 10.

TRANSPORTATION ALLOCATION

36. For the purposes of paragraph 2 of section 11, the amount of the transportation allocation for a district school board shall be determined as follows:

1. Take the amount of the transportation allocation determined for the board under section 35 of Ontario Regulation 287/98.
2. Deduct the total of the amounts spent by the board in the fiscal year September 1, 1998 to August 31, 1999 in respect of the transportation to and from the Ontario School for the Blind, an Ontario School for the Deaf or a demonstration school established by or operated under an agreement with the Minister for pupils with severe communicational exceptionalities.
3. Determine the 1999-2000 day school average daily enrolment of pupils of the district school board.
4. Take the 1998-99 day school average daily enrolment of pupils of the board, within the meaning of Ontario Regulation 287/98, except that all pupils enrolled in kindergarten during the period from September 1, 1998 to August 31, 1999 shall be counted as half-time pupils.
5. Divide the number obtained under paragraph 3 by the number obtained under paragraph 4.

- i. Additionner les sommes calculées pour le conseil aux termes des dispositions 1 et 3 du paragraphe 26 (1).
 - ii. Diviser le total calculé pour le conseil aux termes de la disposition 7 du paragraphe 28 (4) par le nombre total de modules scolaires calculé pour le conseil aux termes de la disposition 3 de ce paragraphe. Multiplier le résultat par le nombre total de modules scolaires de l'élémentaire calculé pour le conseil aux termes de la disposition 1 du même paragraphe.
 - iii. Calculer la part du niveau de financement des programmes de PDF pour le conseil, calculé aux termes du paragraphe 28 (11), qui vise ses élèves de l'élémentaire.
 - iv. Additionner la somme prise aux termes de la sous-disposition i, le produit obtenu aux termes de la sous-disposition ii et la somme calculée aux termes de la sous-disposition iii.
7. Prendre la somme calculée aux termes du paragraphe 34 (11) au titre de l'élément rémunération des enseignants de l'élémentaire pour le conseil.
 8. Calculer une somme relativement au fonctionnement des écoles élémentaires, de la manière suivante :
 - i. Multiplier par 55,97 \$ la superficie en mètres carrés requise pour le conseil, calculée aux termes de la sous-disposition 1 de la disposition 13 du paragraphe 38 (3).
 - ii. Ajouter le total calculé aux termes de la disposition 16 du paragraphe 38 (3).
 9. Additionner les sommes prises ou calculées pour le conseil aux termes des dispositions 3 à 8.
 10. Diviser le total obtenu aux termes de la disposition 9 par l'effectif quotidien moyen de jour des élèves de l'élémentaire du conseil pour 1999-2000.
 11. Additionner ce qui suit :
 - i. La somme de 3 367 \$, au titre de l'élément éducation de base.
 - ii. La somme obtenue aux termes de la disposition 2.
 - iii. La somme obtenue aux termes de la disposition 10.

ÉLÉMENT TRANSPORT DES ÉLÈVES

36. Pour l'application de la disposition 2 de l'article 11, l'élément transport des élèves pour un conseil scolaire de district est calculé de la manière suivante :

1. Prendre l'élément transport des élèves calculé pour le conseil aux termes de l'article 35 du Règlement de l'Ontario 287/98.
2. Déduire le total des dépenses engagées par le conseil au cours de l'exercice qui commence le 1^{er} septembre 1998 et qui se termine le 31 août 1999 à l'égard du transport des élèves à destination et en provenance de l'École provinciale pour aveugles, d'une école provinciale pour sourds ou d'une école d'application ouverte ou dirigée, en vertu d'une entente conclue avec le ministre, au profit d'élèves qui ont de graves anomalies de communication.
3. Calculer l'effectif quotidien moyen de jour des élèves du conseil scolaire de district pour 1999-2000.
4. Prendre l'effectif quotidien moyen de jour des élèves du conseil pour 1998-1999, au sens du Règlement de l'Ontario 287/98, si ce n'est que tous les élèves inscrits au jardin d'enfants pendant la période qui commence le 1^{er} septembre 1998 et qui se termine le 31 août 1999 sont comptés comme élèves à mi-temps.
5. Diviser le nombre obtenu aux termes de la disposition 3 par le nombre obtenu aux termes de la disposition 4.

6. Multiply the number obtained under paragraph 5 by the amount obtained under paragraph 2.
7. Add the amount of the expenditure of the board in the 1999-2000 fiscal year that is approved by the Minister in respect of the transportation to and from the Ontario School for the Blind, an Ontario School for the Deaf or a demonstration school established by or operated under an agreement with the Minister for pupils with severe communicational exceptionalities.

ADMINISTRATION AND GOVERNANCE ALLOCATION

37. (1) For the purposes of paragraph 2 of section 11, the amount of the administration and governance allocation for a district school board shall be determined as follows:

1. Determine the amount for the board for board members' honoraria and expenses and for expenses relating to pupil representation, in accordance with subsection (2).
2. Determine the amount for the board for directors of education and supervisory officers, in accordance with subsection (4).
3. Determine the amount for the board for administration costs, in accordance with subsection (5).
4. Total the amounts determined under paragraphs 1, 2 and 3.

(2) The amount for the board for board members' honoraria and expenses and for expenses relating to pupil representation shall be determined as follows:

1. Multiply the number of members on the board by \$5,000, on account of board members' honoraria. For the purposes of this paragraph, the number of members on the board is the sum of,
 - i. the number of members determined for the board under subclause 58.1 (2) (k) (i) of the Act, and
 - ii. the number of Native representatives determined for the board under subsection 188 (5) of the Act.
2. Multiply the number of members on the board by \$5,000, on account of board members' expenses. For the purposes of this paragraph, the number of members on the board is the sum of,
 - i. the number of members determined for the board under subclause 58.1 (2) (k) (i) of the Act, and
 - ii. the number of Native representatives determined for the board under subsection 188 (5) of the Act.
3. Total the products obtained under paragraphs 1 and 2.
4. Add \$10,000 to the amount determined under paragraph 3, on account of additional honoraria for the chair and vice-chair.
5. Add \$5,000 to the amount determined under paragraph 4, on account of expenses relating to pupil representation.

(3) For the purposes of subsection (4), pupils shall be counted on the basis of 1999-2000 day school average daily enrolment of pupils of the board.

(4) The amount for the board for directors of education and supervisory officers shall be determined as follows:

6. Multiplier le nombre obtenu aux termes de la disposition 5 par la somme obtenue aux termes de la disposition 2.
7. Ajouter le montant des dépenses engagées par le conseil au cours de l'exercice 1999-2000 que le ministre a approuvé à l'égard du transport des élèves à destination et en provenance de l'École provinciale pour aveugles, d'une école provinciale pour sourds ou d'une école d'application ouverte ou dirigée, en vertu d'une entente conclue avec le ministre, au profit d'élèves qui ont de graves anomalies de communication.

ÉLÉMENT ADMINISTRATION ET GESTION

37. (1) Pour l'application de la disposition 2 de l'article 11, l'élément administration et gestion des conseils scolaires pour un conseil scolaire de district est calculé de la manière suivante :

1. Calculer la somme liée aux allocations et frais des membres du conseil et aux dépenses relatives à la représentation des élèves pour le conseil, conformément au paragraphe (2).
2. Calculer la somme liée aux directeurs de l'éducation et aux agents de supervision pour le conseil, conformément au paragraphe (4).
3. Calculer la somme liée aux frais d'administration pour le conseil, conformément au paragraphe (5).
4. Additionner les sommes calculées aux termes des dispositions 1, 2, et 3.

(2) La somme liée aux allocations et frais des membres du conseil et aux dépenses relatives à la représentation des élèves pour le conseil est calculée de la manière suivante :

1. Multiplier le nombre des membres du conseil par 5 000 \$ au titre de leurs allocations. Pour l'application de la présente disposition, le nombre des membres du conseil est la somme de ce qui suit :
 - i. le nombre de membres déterminé pour le conseil en vertu du sous-alinéa 58.1 (2) (k) (i) de la Loi,
 - ii. le nombre de représentants autochtones déterminé pour le conseil en vertu du paragraphe 188 (5) de la Loi.
2. Multiplier le nombre des membres du conseil par 5 000 \$ au titre de leurs frais. Pour l'application de la présente disposition, le nombre des membres du conseil est la somme de ce qui suit :
 - i. le nombre de membres déterminé pour le conseil en vertu du sous-alinéa 58.1 (2) (k) (i) de la Loi,
 - ii. le nombre de représentants autochtones déterminé pour le conseil en vertu du paragraphe 188 (5) de la Loi.
3. Additionner les produits obtenus aux termes des dispositions 1 et 2.
4. Ajouter 10 000 \$ à la somme calculée aux termes de la disposition 3 au titre des allocations supplémentaires versées au président et au vice-président.
5. Ajouter 5 000 \$ à la somme calculée aux termes de la disposition 4 au titre des dépenses relatives à la représentation des élèves.

(3) Pour l'application du paragraphe (4), les élèves sont dénombrés en fonction de l'effectif quotidien moyen de jour des élèves du conseil pour 1999-2000.

(4) La somme liée aux directeurs de l'éducation et aux agents de supervision du conseil est calculée de la manière suivante :

1. Allow \$200,000 as a base amount.
2. Allow \$23 per pupil for the first 25,000 pupils of the board.
3. Allow \$21 per pupil for the remaining pupils of the board.
4. Total the amounts allowed under paragraphs 1 to 3.
5. Add 2 per cent of the amount of the board's remote and rural allocation, as determined under section 30.
6. Add 0.5 per cent of the amount of the board's learning opportunities allocation, as determined under section 31.
7. Add 1 per cent of the amount calculated for the board for new pupil places under subsection 38 (11).

(5) The amount for the board for administration costs shall be determined as follows:

1. Allow \$80,000 as a base amount.
2. Add the product of \$174 and the 1999-2000 day school average daily enrolment of pupils of the board.
3. Add 11 per cent of the amount of the board's remote and rural allocation, as determined under section 30.
4. Add 0.5 per cent of the amount of the board's learning opportunities allocation, as determined under section 31.
5. Add 1 per cent of the amount calculated for the board for new pupil places under subsection 38 (11).

PUPIL ACCOMMODATION ALLOCATION

38. (1) For the purposes of this section,

- (a) a school of a board is an elementary school if it has been identified as such by the board in accordance with the Ministry publication entitled "Data Collection Instruction Guide for the School Facilities Inventory Database", dated March 10, 1999; and
- (b) a school of a board is a secondary school if it has been identified as such by the board in accordance with the Ministry publication entitled "Data Collection Instruction Guide for the School Facilities Inventory Database", dated March 10, 1999.

(2) For the purposes of paragraph 2 of section 11, the amount of the pupil accommodation allocation for a district school board shall be determined as follows:

1. Determine the amount for the board for school operations, in accordance with subsection (3).
2. Determine the amount for the board for school renewal, in accordance with subsection (10).
3. Determine the amount for the board for new pupil places, in accordance with subsection (11).
4. Determine the amount for the board for outstanding capital commitments, in accordance with subsection (21).
5. Total the amounts determined under paragraphs 1, 2, 3 and 4.

(3) The amount for the board for school operations shall be determined as follows:

1. Determine the 1999-2000 day school average daily enrolment of elementary school pupils of the board.

1. Prévoir 200 000 \$ comme somme de base.
2. Prévoir 23 \$ par élève pour la première tranche de 25 000 élèves du conseil.
3. Prévoir 21 \$ par élève pour le reste des élèves du conseil.
4. Additionner les sommes prévues aux termes des dispositions 1 à 3.
5. Ajouter deux pour cent de l'élément conseils ruraux et éloignés du conseil, calculé aux termes de l'article 30.
6. Ajouter 0,5 pour cent de l'élément apprentissage durant les premières années du conseil, calculé aux termes de l'article 31.
7. Ajouter 1 pour cent de la somme calculée pour le conseil au titre des nouvelles places aux termes du paragraphe 38 (11).

(5) La somme liée aux frais d'administration pour le conseil est calculée de la manière suivante :

1. Prévoir 80 000 \$ comme somme de base.
2. Ajouter le produit de 174 \$ et de l'effectif quotidien moyen de jour des élèves du conseil pour 1999-2000.
3. Ajouter 11 pour cent de l'élément conseils ruraux et éloignés du conseil, calculé aux termes de l'article 30.
4. Ajouter 0,5 pour cent de l'élément apprentissage durant les premières années du conseil, calculé aux termes de l'article 31.
5. Ajouter 1 pour cent de la somme calculée pour le conseil au titre des nouvelles places aux termes du paragraphe 38 (11).

ÉLÉMENT INSTALLATIONS D'ACCUEIL POUR LES ÉLÈVES

38. (1) Pour l'application du présent article :

- a) une école d'un conseil est une école élémentaire si le conseil l'a identifiée comme telle conformément à la publication du 10 mars 1999 du ministère intitulée «Guide de collecte des données pour le système d'inventaire des installations scolaires»;
- b) une école d'un conseil est une école secondaire si le conseil l'a identifiée comme telle conformément à la publication du 10 mars 1999 du ministère intitulée «Guide de collecte des données pour le système d'inventaire des installations scolaires».

(2) Pour l'application de la disposition 2 de l'article 11, l'élément installations d'accueil pour les élèves pour un conseil scolaire de district est calculé de la manière suivante :

1. Calculer la somme liée au fonctionnement des écoles pour le conseil, conformément au paragraphe (3).
2. Calculer la somme liée à la réfection des écoles pour le conseil, conformément au paragraphe (10).
3. Calculer la somme liée aux nouvelles places pour le conseil, conformément au paragraphe (11).
4. Calculer la somme liée aux engagements d'immobilisations non réalisés pour le conseil, conformément au paragraphe (21).
5. Additionner les sommes calculées aux termes des dispositions 1, 2, 3 et 4.

(3) La somme liée au fonctionnement des écoles pour le conseil est calculée de la manière suivante :

1. Calculer l'effectif quotidien moyen de jour des élèves de l'élémentaire du conseil pour 1999-2000.

2. Multiply the number determined under paragraph 1 by the benchmark area requirement per pupil of 9.29 metres squared, to obtain the elementary school area requirement for the board.
3. Determine the adjusted elementary school area requirement for the board in metres squared, by applying, to the amount determined under paragraph 2, the supplementary elementary school area factor, if any, approved for the board by the Minister in accordance with subsections (4) and (5).
4. Determine the day school average daily enrolment for the board for the 1999-2000 fiscal year, in accordance with section 2 of the 1999-2000 day school A.D.E. regulation, counting only pupils who are 21 years of age or more on December 31, 1999.
5. Determine the continuing education average daily enrolment for the board for the 1999-2000 fiscal year, in accordance with section 3 of the 1999-2000 A.D.E. regulation, counting only pupils enrolled in a course for which the pupil may earn a credit and in which instruction is given between 8 a.m. and 5 p.m. and excluding,
 - i. pupils enrolled in a continuing education course delivered primarily through means other than classroom instruction,
 - ii. pupils to whom subsection 49 (6) of the Act applies, and
 - iii. pupils in respect of whom the board charges a fee under subsection 8 (2) of the 1999-2000 fees regulation.
6. Determine the summer school average daily enrolment for the board for the 1999-2000 fiscal year, in accordance with section 4 of the 1999-2000 A.D.E. regulation, excluding,
 - i. pupils to whom subsection 49 (6) of the Act applies, and
 - ii. pupils in respect of whom the board charges a fee under subsection 8 (3) of the 1999-2000 fees regulation.
7. Add the numbers determined under paragraphs 4, 5 and 6.
8. Multiply the total determined under paragraph 7 by the benchmark area requirement per pupil of 9.29 metres squared, to obtain the adult education, continuing education and summer school area requirement for the board.
9. Determine the adjusted adult education, continuing education and summer school area requirement for the board in metres squared, by applying, to the amount determined under paragraph 8, the supplementary adult education, continuing education and summer school area factor, if any, approved for the board by the Minister in accordance with subsection (6).
10. Determine the 1999-2000 day school average daily enrolment of secondary school pupils of the board.
11. Multiply the number determined under paragraph 10 by the benchmark area requirement per pupil of 12.07 metres squared, to obtain the secondary school area requirement for the board.
12. Determine the adjusted secondary school area requirement for the board in metres squared, by applying, to the amount determined under paragraph 11, the supplementary secondary school area factor, if any, approved for the board by the Minister in accordance with subsection (9).
2. Multiplier le nombre calculé aux termes de la disposition 1 par la superficie repère requise par élève de 9,29 mètres carrés, pour obtenir la superficie des écoles élémentaires requise pour le conseil.
3. Calculer, en mètres carrés, la superficie redressée des écoles élémentaires requise pour le conseil en appliquant, à la valeur calculée aux termes de la disposition 2, le facteur éventuel relatif à la superficie supplémentaire des écoles élémentaires que le ministre approuve pour le conseil conformément aux paragraphes (4) et (5).
4. Calculer l'effectif quotidien moyen de jour du conseil pour l'exercice 1999-2000 conformément à l'article 2 du règlement sur l'effectif quotidien moyen de jour de 1999-2000, en ne comptant que les élèves qui sont âgés de 21 ans ou plus le 31 décembre 1999.
5. Calculer l'effectif quotidien moyen de l'éducation permanente du conseil pour l'exercice 1999-2000 conformément à l'article 3 du règlement sur l'effectif quotidien moyen de 1999-2000, en ne comptant que les élèves inscrits à un cours pour lequel ils peuvent obtenir un crédit et dans lequel l'enseignement est dispensé entre 8 h et 17 h et en excluant les élèves suivants :
 - i. les élèves inscrits à un cours d'éducation permanente dispensé principalement par des moyens autres qu'un enseignement en classe,
 - ii. les élèves auxquels s'applique le paragraphe 49 (6) de la Loi,
 - iii. les élèves à l'égard desquels le conseil impose des droits aux termes du paragraphe 8 (2) du règlement sur les droits de 1999-2000.
6. Calculer l'effectif quotidien moyen des cours d'été du conseil pour l'exercice 1999-2000 conformément à l'article 4 du règlement sur l'effectif quotidien moyen de 1999-2000, en excluant les élèves suivants :
 - i. les élèves auxquels s'applique le paragraphe 49 (6) de la Loi,
 - ii. les élèves à l'égard desquels le conseil impose des droits aux termes du paragraphe 8 (3) du règlement sur les droits de 1999-2000.
7. Additionner les nombres calculés aux termes des dispositions 4, 5 et 6.
8. Multiplier le total obtenu aux termes de la disposition 7 par la superficie repère requise par élève de 9,29 mètres carrés pour obtenir la superficie liée à l'éducation des adultes, à l'éducation permanente et aux cours d'été requise pour le conseil.
9. Calculer, en mètres carrés, la superficie redressée liée à l'éducation des adultes, à l'éducation permanente et aux cours d'été requise pour le conseil en appliquant, à la valeur calculée aux termes de la disposition 8, le facteur éventuel relatif à la superficie supplémentaire liée à l'éducation des adultes, à l'éducation permanente et aux cours d'été que le ministre approuve pour le conseil conformément au paragraphe (6).
10. Calculer l'effectif quotidien moyen de jour des élèves du secondaire du conseil pour 1999-2000.
11. Multiplier le nombre calculé aux termes de la disposition 10 par la superficie repère requise par élève de 12,07 mètres carrés pour obtenir la superficie des écoles secondaires requise pour le conseil.
12. Calculer, en mètres carrés, la superficie redressée des écoles secondaires requise pour le conseil en appliquant, à la valeur calculée aux termes de la disposition 11, le facteur éventuel relatif à la superficie supplémentaire des écoles secondaires que le ministre approuve pour le conseil conformément au paragraphe (9).

13. Obtain the adjusted total area requirement for the board in metres squared by adding the following amounts:
 - i. The elementary school area requirement for the board determined under paragraph 2 or, where the Minister approves a supplementary elementary school area factor for the board, the adjusted elementary school area requirement for the board determined under paragraph 3.
 - ii. The adult education, continuing education and summer school area requirement for the board determined under paragraph 8 or, where the Minister approves a supplementary adult education, continuing education and summer school area factor for the board, the adjusted adult education, continuing education and summer school area requirement for the board determined under paragraph 9.
 - iii. The secondary school area requirement for the board determined under paragraph 11 or, where the Minister approves a supplementary secondary school area factor for the board, the adjusted secondary school area requirement for the board determined under paragraph 12.
 14. Multiply the number obtained under paragraph 13 by the benchmark operating cost of \$55.97 per metre squared.
 15. For each elementary school of the board, calculate a top up amount for school operations, as follows:
 - i. Determine the 1999-2000 day school average daily enrolment of pupils of the board, counting only pupils of the board enrolled in the school.
 - ii. Determine the capacity of the school, in terms of pupil places, in accordance with subsection (16). However, the capacity of a school for which the number determined under subparagraph i is zero shall be deemed, for the purposes of this paragraph, to be zero.
 - iii. Multiply the number determined under subparagraph i by the benchmark area requirement per pupil of 9.29 metres squared.
 - iv. Multiply the number determined under subparagraph iii by the benchmark operating cost of \$55.97 per metre squared.
 - v. Multiply the number determined under subparagraph iv by the supplementary elementary school area factor, if any, approved for the board by the Minister in accordance with subsections (4) and (5).
 - vi. If the school is not a school to which subsection 29 (8) or (9) applies, take the amount, if any, determined under paragraph 3 of subsection 29 (11) for the school.
 - vii. Multiply the amount taken under subparagraph vi by 0.25.
 - viii. If the school is a school to which subsection 29 (8) or (9) applies, take the amount determined under paragraph 3 of subsection 29 (11) for the group of schools of which the school is a part.
 - ix. Multiply the amount taken under subparagraph viii by the day school full-time equivalent enrolment for the board as of October 31, 1999, counting only the pupils of the board enrolled in the school.
13. Obtenir la superficie totale en mètres carrés redressée requise pour le conseil en additionnant les valeurs suivantes :
 - i. La superficie des écoles élémentaires requise pour le conseil calculée aux termes de la disposition 2 ou, si le ministre approuve un facteur relatif à la superficie supplémentaire des écoles élémentaires pour le conseil, la superficie redressée des écoles élémentaires requise pour le conseil, calculée aux termes de la disposition 3.
 - ii. La superficie liée à l'éducation des adultes, à l'éducation permanente et aux cours d'été requise pour le conseil calculée aux termes de la disposition 8 ou, si le ministre approuve un facteur relatif à la superficie supplémentaire liée à l'éducation des adultes, à l'éducation permanente et aux cours d'été pour le conseil, la superficie redressée liée à l'éducation des adultes, à l'éducation permanente et aux cours d'été requise pour le conseil, calculée aux termes de la disposition 9.
 - iii. La superficie des écoles secondaires requise pour le conseil calculée aux termes de la disposition 11 ou, si le ministre approuve un facteur relatif à la superficie supplémentaire des écoles secondaires pour le conseil, la superficie redressée des écoles secondaires requise pour le conseil, calculée aux termes de la disposition 12.
 14. Multiplier le nombre obtenu aux termes de la disposition 13 par le coût repère de fonctionnement de 55,97 \$ le mètre carré.
 15. Pour chaque école élémentaire du conseil, calculer une somme complémentaire liée au fonctionnement des écoles, de la manière suivante :
 - i. Calculer l'effectif quotidien moyen de jour des élèves du conseil pour 1999-2000, en ne comptant que les élèves du conseil qui sont inscrits à l'école.
 - ii. Calculer la capacité d'accueil de l'école, exprimée en places, conformément au paragraphe (16). Toutefois, la capacité d'une école pour laquelle le nombre obtenu aux termes de la sous-disposition i est nul est réputée nulle pour l'application de la présente disposition.
 - iii. Multiplier le nombre calculé aux termes de la sous-disposition i par la superficie repère requise par élève de 9,29 mètres carrés.
 - iv. Multiplier le nombre obtenu aux termes de la sous-disposition iii par le coût repère de fonctionnement de 55,97 \$ le mètre carré.
 - v. Multiplier le nombre obtenu aux termes de la sous-disposition iv par le facteur éventuel relatif à la superficie supplémentaire des écoles élémentaires que le ministre approuve pour le conseil conformément aux paragraphes (4) et (5).
 - vi. Si l'école n'est pas une école à laquelle s'applique le paragraphe 29 (8) ou (9), prendre la somme éventuelle calculée pour l'école aux termes de la disposition 3 du paragraphe 29 (11).
 - vii. Multiplier la somme prise aux termes de la sous-disposition vi par 0,25.
 - viii. Si l'école est une école à laquelle s'applique le paragraphe 29 (8) ou (9), prendre la somme calculée aux termes de la disposition 3 du paragraphe 29 (11) pour le groupe d'écoles dont l'école fait partie.
 - ix. Multiplier la somme prise aux termes de la sous-disposition viii par l'effectif de jour à temps plein ou l'équivalent pour le conseil au 31 octobre 1999, en ne comptant que les élèves du conseil inscrits à l'école.

- x. Divide the product obtained under subparagraph ix by the day school full-time equivalent enrolment for the board as of October 31, 1999, counting only the pupils of the board enrolled in the group of schools of which the school is a part.
 - xi. Multiply the quotient obtained under subparagraph x by 0.25.
 - xii. Total the numbers determined under subparagraphs v, vii and xi.
 - xiii. Multiply the capacity of the school, in terms of pupil places, as determined under subparagraph ii, by the benchmark area requirement per pupil of 9.29 metres squared.
 - xiv. Multiply the number determined under subparagraph xiii by the benchmark operating cost of \$55.97 per metre squared.
 - xv. Multiply the number determined under subparagraph xiv by the supplementary elementary school area factor, if any, approved for the board by the Minister in accordance with subsections (4) and (5).
 - xvi. Multiply the number determined under subparagraph xv by 0.2.
 - xvii. Subtract the number determined under subparagraph xii from the number determined under subparagraph xv.
 - xviii. If the number determined under subparagraph xvii is zero or a negative number or if the number determined under subparagraph i is zero, the top up amount for school operations for the school is zero. Otherwise, the top up amount for school operations for the school is the lesser of the number determined under subparagraph xvi and the number determined under subparagraph xvii.
16. Total the top up amounts for school operations determined under paragraph 15 for each of the elementary schools of the board.
17. For each secondary school of the board, calculate a top up amount for school operations, as follows:
- i. Determine the 1999-2000 day school average daily enrolment of pupils of the board, counting only pupils of the board enrolled in the school.
 - ii. Determine the capacity of the school, in terms of pupil places, in accordance with subsection (17). However, the capacity of a school for which the number determined under subparagraph i is zero shall be deemed, for the purposes of this paragraph, to be zero.
 - iii. Multiply the number determined under subparagraph i by the benchmark area requirement per pupil of 12.07 metres squared.
 - iv. Multiply the number determined under subparagraph iii by the benchmark operating cost of \$55.97 per metre squared.
 - v. Multiply the number determined under subparagraph iv by the supplementary secondary school area factor, if any, approved for the board by the Minister in accordance with subsection (9).
 - vi. Take the amount, if any, determined for the school under paragraph 7 of subsection 29 (11).
 - vii. Multiply the amount taken under subparagraph vi by 0.25.
- x. Diviser le produit obtenu aux termes de la sous-disposition ix par l'effectif de jour à temps plein ou l'équivalent pour le conseil au 31 octobre 1999, en ne comptant que les élèves du conseil inscrits dans le groupe d'écoles dont l'école fait partie.
 - xi. Multiplier le quotient obtenu aux termes de la sous-disposition x par 0,25.
 - xii. Additionner les nombres obtenus aux termes des sous-dispositions v, vii et xi.
 - xiii. Multiplier la capacité d'accueil de l'école, exprimée en places, calculée aux termes de la sous-disposition ii, par la superficie repère requise par élève de 9,29 mètres carrés.
 - xiv. Multiplier le nombre obtenu aux termes de la sous-disposition xiii par le coût repère de fonctionnement de 55,97 \$ le mètre carré.
 - xv. Multiplier le nombre obtenu aux termes de la sous-disposition xiv par le facteur éventuel relatif à la superficie supplémentaire des écoles élémentaires que le ministre approuve pour le conseil conformément aux paragraphes (4) et (5).
 - xvi. Multiplier le nombre obtenu aux termes de la sous-disposition xv par 0,2.
 - xvii. Soustraire le nombre obtenu aux termes de la sous-disposition xii de celui obtenu aux termes de la sous-disposition xv.
 - xviii. Si le nombre obtenu aux termes de la sous-disposition xvii est nul ou négatif ou que le nombre obtenu aux termes de la sous-disposition i est nul, la somme complémentaire liée au fonctionnement des écoles pour l'école en question est de zéro; sinon, elle correspond au moindre du nombre obtenu aux termes de la sous-disposition xvi et de celui obtenu aux termes de la sous-disposition xvii.
16. Additionner les sommes complémentaires liées au fonctionnement des écoles, calculées aux termes de la disposition 15, pour chacune des écoles élémentaires du conseil.
17. Pour chaque école secondaire du conseil, calculer une somme complémentaire liée au fonctionnement des écoles, de la manière suivante :
- i. Calculer l'effectif quotidien moyen de jour des élèves du conseil pour 1999-2000, en ne comptant que les élèves du conseil qui sont inscrits à l'école.
 - ii. Calculer la capacité d'accueil de l'école, exprimée en places, conformément au paragraphe (17). Toutefois, la capacité d'une école pour laquelle le nombre obtenu aux termes de la sous-disposition i est nul est réputée nulle pour l'application de la présente disposition.
 - iii. Multiplier le nombre calculé aux termes de la sous-disposition i par la superficie repère requise par élève de 12,07 mètres carrés.
 - iv. Multiplier le nombre obtenu aux termes de la sous-disposition iii par le coût repère de fonctionnement de 55,97 \$ le mètre carré.
 - v. Multiplier le nombre obtenu aux termes de la sous-disposition iv par le facteur éventuel relatif à la superficie supplémentaire des écoles secondaires que le ministre approuve pour le conseil conformément au paragraphe (9).
 - vi. Prendre la somme éventuelle calculée pour l'école aux termes de la disposition 7 du paragraphe 29 (11).
 - vii. Multiplier la somme prise aux termes de la sous-disposition vi par 0,25.

- viii. Add the number determined under subparagraph vii to the number determined under subparagraph v.
 - ix. Multiply the capacity of the school, in terms of pupil places, as determined under subparagraph ii, by the benchmark area requirement per pupil of 12.07 metres squared.
 - x. Multiply the number determined under subparagraph ix by the benchmark operating cost of \$55.97 per metre squared.
 - xi. Multiply the number determined under subparagraph x by the supplementary secondary school area factor, if any, approved for the board by the Minister in accordance with subsection (9).
 - xii. Multiply the number determined under subparagraph xi by 0.2.
 - xiii. Subtract the number determined under subparagraph viii from the number determined under subparagraph xi.
 - xiv. If the number determined under subparagraph xiii is zero or a negative number or if the number determined under subparagraph i is zero, the top up amount for school operations for the school is zero. Otherwise, the top up amount for school operations for the school is the lesser of the number determined under subparagraph xii and the number determined under subparagraph xiii.
18. Total the top up amounts for school operations determined under paragraph 17 for each of the secondary schools of the board.
19. Total the amounts determined for the board under paragraphs 14, 16 and 18 to obtain the amount for the board for school operations.
- (4) For the purposes of paragraph 3 of subsection (3), the Minister shall approve a supplementary elementary school area factor for a board if the Minister considers that it is appropriate to do so in order to make allowance for disproportionate space needs that are particular to the board and that are caused by,
- (a) the fact that the board is reasonably operating a school that is too large for the community it serves, whether because of declining enrolment or for some other reason;
 - (b) the fact that the board is reasonably operating a school in a building the physical characteristics of which are neither compatible with nor easily modified to conform to the benchmark area requirements referred to in subsection (3);
 - (c) the fact that the board has disproportionately high space requirements because the board serves a disproportionately high number of pupils in special education programs or in other education programs with high space requirements; or
 - (d) other circumstances similar to those described in clauses (a), (b) and (c).
- (5) In determining an amount for the purposes of subsection (4), the Minister shall have regard to the effect of the circumstances referred to in clauses (4) (a) to (d) on the board's space needs.
- (6) Subject to subsections (7) and (8), subsections (4) and (5) apply with necessary modifications to authorize the Minister to approve a supplementary adult education, continuing education and summer school area factor for a board and, for the purpose, a reference to elementary school area shall be deemed to be a reference to adult education, continuing education and summer school area.
- viii. Additionner le nombre obtenu aux termes de la sous-disposition vii et celui obtenu aux termes de la sous-disposition v.
 - ix. Multiplier la capacité d'accueil de l'école, exprimée en places, calculée aux termes de la sous-disposition ii, par la superficie repère requise par élève de 12,07 mètres carrés.
 - x. Multiplier le nombre obtenu aux termes de la sous-disposition ix par le coût repère de fonctionnement de 55,97 \$ le mètre carré.
 - xi. Multiplier le nombre obtenu aux termes de la sous-disposition x par le facteur éventuel relatif à la superficie supplémentaire des écoles secondaires que le ministre approuve pour le conseil conformément au paragraphe (9).
 - xii. Multiplier le nombre obtenu aux termes de la sous-disposition xi par 0,2.
 - xiii. Soustraire le nombre obtenu aux termes de la sous-disposition viii de celui obtenu aux termes de la sous-disposition xi.
 - xiv. Si le nombre obtenu aux termes de la sous-disposition xiii est nul ou négatif ou que le nombre obtenu aux termes de la sous-disposition i est nul, la somme complémentaire liée au fonctionnement des écoles pour l'école en question est de zéro; sinon, elle correspond au moindre du nombre obtenu aux termes de la sous-disposition xii et de celui obtenu aux termes de la sous-disposition xiii.
18. Additionner les sommes complémentaires liées au fonctionnement des écoles, calculées aux termes de la disposition 17, pour chacune des écoles secondaires du conseil.
19. Additionner les sommes obtenues pour le conseil aux termes des dispositions 14, 16 et 18 pour obtenir la somme liée au fonctionnement des écoles pour le conseil.
- (4) Pour l'application de la disposition 3 du paragraphe (3), le ministre approuve un facteur relatif à la superficie supplémentaire des écoles élémentaires pour un conseil s'il estime indiqué de ce faire pour tenir compte des besoins en matière d'espace supérieurs à la normale qui sont propres au conseil et qui découlent de l'une ou l'autre des circonstances suivantes :
- a) il est raisonnable que le conseil fasse fonctionner une école qui est trop grande pour la collectivité qu'elle dessert, pour quelque raison que ce soit, notamment la baisse des effectifs;
 - b) il est raisonnable que le conseil fasse fonctionner une école dans un bâtiment dont les caractéristiques physiques ne correspondent pas à la superficie repère requise visée au paragraphe (3) ni ne peuvent être modifiées facilement pour y correspondre;
 - c) le conseil a des besoins en matière d'espace supérieurs à la normale parce qu'il dessert un nombre supérieur à la normale d'élèves qui sont inscrits à des programmes d'enseignement à l'enfance en difficulté ou à d'autres programmes d'enseignement qui ont besoin de beaucoup d'espace;
 - d) il existe d'autres circonstances semblables à celles visées aux alinéas a), b) et c).
- (5) Lors du calcul d'une somme pour l'application du paragraphe (4), le ministre tient compte de l'incidence des circonstances visées aux alinéas (4) a) à d) sur les besoins du conseil en matière d'espace.
- (6) Sous réserve des paragraphes (7) et (8), les paragraphes (4) et (5) s'appliquent, avec les adaptations nécessaires, pour autoriser le ministre à approuver un facteur relatif à la superficie supplémentaire liée à l'éducation des adultes, à l'éducation permanente et aux cours d'été pour un conseil. À cette fin, la mention de la superficie des écoles élémentaires est réputée une mention de la superficie liée à l'éducation des adultes, à l'éducation permanente et aux cours d'été.

(7) The Minister shall not approve a factor for a board under subsection (6) unless the Minister has approved a factor for the board under subsection (9).

(8) The Minister shall not approve a factor for a board under subsection (6) that is greater than the factor approved for the board under subsection (9).

(9) Subsections (4) and (5) apply with necessary modifications to authorize the Minister to approve a supplementary secondary school area factor for a board and, for the purpose, a reference to elementary school area shall be deemed to be a reference to secondary school area.

(10) The amount for the board for school renewal shall be determined as follows:

1. Take the percentage, as calculated by the board and approved by the Minister, of the actual total elementary school area of the board that relates to buildings that are less than 20 years old.
2. Apply the percentage referred to in paragraph 1 to the benchmark renewal cost per metre squared of \$6.89.
3. Take the percentage, as calculated by the board and approved by the Minister, of the actual total elementary school area of the board that relates to buildings that are 20 years old or older.
4. Apply the percentage referred to in paragraph 3 to the benchmark renewal cost per metre squared of \$10.33.
5. Add the amounts obtained under paragraphs 2 and 4, to obtain a weighted average benchmark elementary school renewal cost per metre squared.
6. Multiply the amount obtained under paragraph 5 by the elementary school area requirement for the board determined under paragraph 2 of subsection (3) or, where the Minister approves a supplementary elementary school area factor for the board, the adjusted elementary school area requirement for the board determined under paragraph 3 of subsection (3).
7. Take the percentage, as calculated by the board and approved by the Minister, of the actual total secondary school area of the board that relates to buildings that are less than 20 years old.
8. Apply the percentage referred to in paragraph 7 to the benchmark renewal cost per metre squared of \$6.89.
9. Take the percentage, as calculated by the board and approved by the Minister, of the actual total secondary school area of the board that relates to buildings that are 20 years old or older.
10. Apply the percentage referred to in paragraph 9 to the benchmark renewal cost per metre squared of \$10.33.
11. Add the amounts obtained under paragraphs 8 and 10, to obtain a weighted average benchmark secondary school renewal cost per metre squared.
12. Multiply the amount obtained under paragraph 11 by the secondary school area requirement for the board determined under paragraph 11 of subsection (3) or, where the Minister approves a supplementary secondary school area factor for the board, the adjusted secondary school area requirement for the board determined under paragraph 12 of subsection (3).

(7) Le ministre ne doit pas approuver de facteur pour un conseil en vertu du paragraphe (6) à moins d'en avoir approuvé un en vertu du paragraphe (9).

(8) Le ministre ne doit pas approuver, en vertu du paragraphe (6), un facteur pour un conseil qui est supérieur à celui qu'il a approuvé en vertu du paragraphe (9).

(9) Les paragraphes (4) et (5) s'appliquent, avec les adaptations nécessaires, pour autoriser le ministre à approuver un facteur relatif à la superficie supplémentaire des écoles secondaires pour un conseil. À cette fin, la mention de la superficie des écoles élémentaires est réputée une mention de la superficie des écoles secondaires.

(10) La somme liée à la réfection des écoles pour le conseil est calculée de la manière suivante :

1. Prendre le pourcentage, calculé par le conseil et approuvé par le ministre, de la superficie totale réelle des écoles élémentaires du conseil qui se rapporte aux bâtiments qui datent de moins de 20 ans.
2. Appliquer le pourcentage visé à la disposition 1 au coût repère au mètre carré de réfection des écoles de 6,89 \$.
3. Prendre le pourcentage, calculé par le conseil et approuvé par le ministre, de la superficie totale réelle des écoles élémentaires du conseil qui se rapporte aux bâtiments qui datent d'au moins 20 ans.
4. Appliquer le pourcentage visé à la disposition 3 au coût repère au mètre carré de réfection des écoles de 10,33 \$.
5. Additionner les sommes obtenues aux termes des dispositions 2 et 4 pour obtenir le coût repère moyen pondéré au mètre carré de réfection des écoles élémentaires.
6. Multiplier la somme obtenue aux termes de la disposition 5 par la superficie des écoles élémentaires requise pour le conseil calculée aux termes de la disposition 2 du paragraphe (3) ou, si le ministre approuve un facteur relatif à la superficie supplémentaire des écoles élémentaires pour le conseil, la superficie redressée des écoles élémentaires requise pour le conseil, calculée aux termes de la disposition 3 du paragraphe (3).
7. Prendre le pourcentage, calculé par le conseil et approuvé par le ministre, de la superficie totale réelle des écoles secondaires du conseil qui se rapporte aux bâtiments qui datent de moins de 20 ans.
8. Appliquer le pourcentage visé à la disposition 7 au coût repère au mètre carré de réfection des écoles de 6,89 \$.
9. Prendre le pourcentage, calculé par le conseil et approuvé par le ministre, de la superficie totale réelle des écoles secondaires du conseil qui se rapporte aux bâtiments qui datent d'au moins 20 ans.
10. Appliquer le pourcentage visé à la disposition 9 au coût repère au mètre carré de réfection des écoles de 10,33 \$.
11. Additionner les sommes obtenues aux termes des dispositions 8 et 10 pour obtenir le coût repère moyen pondéré au mètre carré de réfection des écoles secondaires.
12. Multiplier la somme obtenue aux termes de la disposition 11 par la superficie des écoles secondaires requise pour le conseil calculée aux termes de la disposition 11 du paragraphe (3) ou, si le ministre approuve un facteur relatif à la superficie supplémentaire des écoles secondaires pour le conseil, la superficie redressée des écoles secondaires requise pour le conseil, calculée aux termes de la disposition 12 du paragraphe (3).

13. Multiply the amount obtained under paragraph 11 by the adult education, continuing education and summer school area requirement for the board determined under paragraph 8 of subsection (3) or, where the Minister approves a supplementary adult education, continuing education and summer school area factor for the board, the adjusted adult education, continuing education and summer school area requirement for the board determined under paragraph 9 of subsection (3).
14. For each elementary school of the board, calculate a top up amount for school renewal, as follows:
 - i. Determine the 1999-2000 day school average daily enrolment of pupils of the board, counting only pupils of the board enrolled in the school.
 - ii. Determine the capacity of the school, in terms of pupil places, in accordance with subsection (16). However, the capacity of a school for which the number determined under subparagraph i is zero shall be deemed, for the purposes of this paragraph, to be zero.
 - iii. Multiply the number determined under subparagraph i by the benchmark area requirement per pupil of 9.29 metres squared.
 - iv. Multiply the number determined under subparagraph iii by the weighted average benchmark elementary school renewal cost per metre squared, as determined for the board under paragraph 5.
 - v. Multiply the number determined under subparagraph iv by the supplementary elementary school area factor, if any, approved for the board by the Minister in accordance with subsections (4) and (5).
 - vi. Multiply the capacity of the school, in terms of pupil places, as determined under subparagraph ii, by the benchmark area requirement per pupil of 9.29 metres squared.
 - vii. Multiply the number determined under subparagraph vi by the weighted average benchmark elementary school renewal cost per metre squared, as determined for the board under paragraph 5.
 - viii. Multiply the number determined under subparagraph vii by the supplementary elementary school area factor, if any, approved for the board by the Minister in accordance with subsections (4) and (5).
 - ix. Multiply the number determined under subparagraph viii by 0.2.
 - x. Subtract the number determined under subparagraph v from the number determined under subparagraph viii.
 - xi. If the number determined under subparagraph x is zero or a negative number or if the number determined under subparagraph i is zero, the top up amount for school renewal for the school is zero. Otherwise, the top up amount for school renewal for the school is the lesser of the number determined under subparagraph ix and the number determined under subparagraph x.
15. Total the top up amounts for school renewal determined under paragraph 14 for each of the elementary schools of the board.
16. For each secondary school of the board, calculate a top up amount for school renewal, as follows:
 13. Multiplier la somme obtenue aux termes de la disposition 11 par la superficie liée à l'éducation des adultes, à l'éducation permanente et aux cours d'été requise pour le conseil, calculée aux termes de la disposition 8 du paragraphe (3), ou, si le ministre approuve un facteur relatif à la superficie supplémentaire liée à l'éducation des adultes, l'éducation permanente et aux cours d'été pour le conseil, la superficie redressée liée à l'éducation des adultes, à l'éducation permanente et aux cours d'été requise pour le conseil, calculée aux termes de la disposition 9 du paragraphe (3).
 14. Pour chaque école élémentaire du conseil, calculer une somme complémentaire liée à la réfection des écoles, de la manière suivante :
 - i. Calculer l'effectif quotidien moyen de jour des élèves du conseil pour 1999-2000, en ne comptant que les élèves du conseil qui sont inscrits à l'école.
 - ii. Calculer la capacité d'accueil de l'école, exprimée en places, conformément au paragraphe (16). Toutefois, la capacité d'une école pour laquelle le nombre obtenu aux termes de la sous-disposition i est nul est réputée nulle pour l'application de la présente disposition.
 - iii. Multiplier le nombre calculé aux termes de la sous-disposition i par la superficie repère requise par élève de 9,29 mètres carrés.
 - iv. Multiplier le nombre obtenu aux termes de la sous-disposition iii par le coût repère moyen pondéré au mètre carré de réfection des écoles élémentaires, calculé pour le conseil aux termes de la disposition 5.
 - v. Multiplier le nombre obtenu aux termes de la sous-disposition iv par le facteur éventuel relatif à la superficie supplémentaire des écoles élémentaires que le ministre approuve pour le conseil conformément aux paragraphes (4) et (5).
 - vi. Multiplier la capacité d'accueil de l'école, exprimée en places, calculée aux termes de la sous-disposition ii, par la superficie repère requise par élève de 9,29 mètres carrés.
 - vii. Multiplier le nombre obtenu aux termes de la sous-disposition vi par le coût repère moyen pondéré au mètre carré de réfection des écoles élémentaires, calculé pour le conseil aux termes de la disposition 5.
 - viii. Multiplier le nombre obtenu aux termes de la sous-disposition vii par le facteur éventuel relatif à la superficie supplémentaire des écoles élémentaires que le ministre approuve pour le conseil conformément aux paragraphes (4) et (5).
 - ix. Multiplier le nombre obtenu aux termes de la sous-disposition viii par 0,2.
 - x. Soustraire le nombre obtenu aux termes de la sous-disposition v de celui obtenu aux termes de la sous-disposition viii.
 - xi. Si le nombre obtenu aux termes de la sous-disposition x est nul ou négatif ou que le nombre obtenu aux termes de la sous-disposition i est nul, la somme complémentaire liée à la réfection des écoles pour l'école en question est de zéro; sinon, elle correspond au moindre du nombre obtenu aux termes de la sous-disposition ix et de celui obtenu aux termes de la sous-disposition x.
 15. Additionner les sommes complémentaires liées à la réfection des écoles, calculées aux termes de la disposition 14, pour chacune des écoles élémentaires du conseil.
 16. Pour chaque école secondaire du conseil, calculer une somme complémentaire liée à la réfection des écoles, de la manière suivante :

- i. Determine the 1999-2000 day school average daily enrolment of pupils of the board, counting only pupils of the board enrolled in the school.
 - ii. Determine the capacity of the school, in terms of pupil places, in accordance with subsection (17). However, the capacity of a school for which the number determined under subparagraph i is zero shall be deemed, for the purposes of this paragraph, to be zero.
 - iii. Multiply the number determined under subparagraph i by the benchmark area requirement per pupil of 12.07 metres squared.
 - iv. Multiply the number determined under subparagraph iii by the weighted average benchmark secondary school renewal cost per metre squared, as determined for the board under paragraph 11.
 - v. Multiply the number determined under subparagraph iv by the supplementary secondary school area factor, if any, approved for the board by the Minister in accordance with subsection (9).
 - vi. Multiply the capacity of the school, in terms of pupil places, as determined under subparagraph ii, by the benchmark area requirement per pupil of 12.07 metres squared.
 - vii. Multiply the number determined under subparagraph vi by the weighted average benchmark secondary school renewal cost per metre squared, as determined for the board under paragraph 11.
 - viii. Multiply the number determined under subparagraph vii by the supplementary secondary school area factor, if any, approved for the board by the Minister in accordance with subsection (9).
 - ix. Multiply the number determined under subparagraph viii by 0.2.
 - x. Subtract the number determined under subparagraph v from the number determined under subparagraph viii.
 - xi. If the number determined under subparagraph x is zero or a negative number or if the number determined under subparagraph i is zero, the top up amount for school renewal for the school is zero. Otherwise, the top up amount for school renewal for the school is the lesser of the number determined under subparagraph ix and the number determined under subparagraph x.
17. Total the top up amounts for school renewal determined under paragraph 16 for each of the secondary schools of the board.
18. Add the amounts obtained under paragraphs 6, 12, 13, 15 and 17 to obtain the amount for the board for school renewal.
- (11) The amount for the board for new pupil places shall be the lesser of \$20 million and an amount determined as follows:
1. Determine the 1999-2000 day school average daily enrolment of elementary school pupils of the board.
 2. Subtract the elementary capacity for the board, in terms of pupil places, as determined by the Minister in accordance with subsection (13), from the number determined under paragraph 1.
 3. If the number determined under paragraph 2 is a positive number, multiply it by the benchmark area requirement of 9.29 metres squared.
- i. Calculer l'effectif quotidien moyen de jour des élèves du conseil pour 1999-2000, en ne comptant que les élèves du conseil qui sont inscrits à l'école.
 - ii. Calculer la capacité d'accueil de l'école, exprimée en places, conformément au paragraphe (17). Toutefois, la capacité d'une école pour laquelle le nombre obtenu aux termes de la sous-disposition i est nul est réputée nulle pour l'application de la présente disposition.
 - iii. Multiplier le nombre calculé aux termes de la sous-disposition i par la superficie repère requise par élève de 12,07 mètres carrés.
 - iv. Multiplier le nombre obtenu aux termes de la sous-disposition iii par le coût repère moyen pondéré au mètre carré de réfection des écoles secondaires, calculé pour le conseil aux termes de la disposition 11.
 - v. Multiplier le nombre obtenu aux termes de la sous-disposition iv par le facteur éventuel relatif à la superficie supplémentaire des écoles secondaires que le ministre approuve pour le conseil conformément au paragraphe (9).
 - vi. Multiplier la capacité d'accueil de l'école, exprimée en places, calculée aux termes de la sous-disposition ii, par la superficie repère requise par élève de 12,07 mètres carrés.
 - vii. Multiplier le nombre obtenu aux termes de la sous-disposition vi par le coût repère moyen pondéré au mètre carré de réfection des écoles secondaires, calculé pour le conseil aux termes de la disposition 11.
 - viii. Multiplier le nombre obtenu aux termes de la sous-disposition vii par le facteur éventuel relatif à la superficie supplémentaire des écoles secondaires que le ministre approuve pour le conseil conformément au paragraphe (9).
 - ix. Multiplier le nombre obtenu aux termes de la sous-disposition viii par 0,2.
 - x. Soustraire le nombre obtenu aux termes de la sous-disposition v de celui obtenu aux termes de la sous-disposition viii.
 - xi. Si le nombre obtenu aux termes de la sous-disposition x est nul ou négatif ou que le nombre obtenu aux termes de la sous-disposition i est nul, la somme complémentaire liée à la réfection des écoles pour l'école en question est de zéro; sinon, elle correspond au moindre du nombre obtenu aux termes de la sous-disposition ix et de celui obtenu aux termes de la sous-disposition x.
17. Additionner les sommes complémentaires liées à la réfection des écoles, calculées aux termes de la disposition 16, pour chacune des écoles secondaires du conseil.
18. Additionner les sommes obtenues aux termes des dispositions 6, 12, 13, 15 et 17 pour obtenir la somme liée à la réfection des écoles pour le conseil.
- (11) La somme liée aux nouvelles places pour le conseil est le moindre de 20 millions de dollars et de la somme calculée de la manière suivante :
1. Calculer l'effectif quotidien moyen de jour des élèves de l'élémentaire du conseil pour 1999-2000.
 2. Soustraire du nombre calculé aux termes de la disposition 1 la capacité d'accueil à l'élémentaire du conseil, exprimée en places, que le ministre calcule conformément au paragraphe (13).
 3. Multiplier le nombre obtenu aux termes de la disposition 2, s'il est positif, par la superficie repère requise de 9,29 mètres carrés.

4. Multiply the product obtained under paragraph 3 by the benchmark construction cost of \$118.40 per metre squared.
5. Determine the 1999-2000 day school average daily enrolment of secondary school pupils of the board.
6. Subtract the secondary capacity for the board, in terms of pupil places, as determined by the Minister in accordance with subsection (13), from the number determined under paragraph 5.
7. If the number determined under paragraph 6 is a positive number, multiply it by the benchmark area requirement of 12.07 metres squared.
8. Multiply the product obtained under paragraph 7 by the benchmark construction cost of \$129.17 per metre squared.
9. Add the products obtained under paragraphs 4 and 8.
10. Multiply the sum obtained under paragraph 9 by the geographic adjustment factor specified for the board in Table 6, to obtain the amount for the board for new pupil places.

(12) In subsections (13) to (17),

"instructional space" means a space in a school that can reasonably be used for instructional purposes; ("aire d'enseignement")

"school facilities data" means data relating to boards' school facilities and includes school floor plans and other data compiled in accordance with the Ministry's school facilities inventory system. ("données sur les installations scolaires")

(13) For the purposes of paragraphs 2 and 6 of subsection (11), the Minister shall determine an elementary capacity and a secondary capacity for the board as follows:

1. Apply the loadings determined under subsection (14) to the elementary and secondary school instructional spaces of the board, as categorized under subsection (14).
2. Where applicable, adjust the result determined under paragraph 1 in accordance with subsection (15).
3. Where applicable, adjust the result determined under paragraph 2 in accordance with subsections (19) and (20).

(14) The Minister shall determine loadings and categories of instructional space as follows:

1. Using school facilities data, the Minister shall identify categories of instructional space. In identifying categories of instructional space, the Minister shall have regard to but is not limited to the categories identified in the Report of the Pupil Accommodation Review Committee, dated August, 1998, which Report was released by the Ministry to school boards in August of 1998 and is available for public inspection at the offices of the Ministry of Education and Training, 900 Bay Street, Toronto, Ontario, M7A 1L2.
2. The Minister shall assign a loading to each category of instructional space identified under paragraph 1, based on the number of pupils that can reasonably be accommodated in each category of instructional space.

(15) The Minister shall make such adjustments under paragraph 2 of subsection (13) as the Minister considers appropriate to take account of funds received by one board from another board in connection with a determination made under Ontario Regulation 460/97 respecting the disposition of an asset of an old board.

4. Multiplier le produit obtenu aux termes de la disposition 3 par le coût repère de construction de nouvelles écoles de 118,40 \$ le mètre carré.
5. Calculer l'effectif quotidien moyen de jour des élèves du secondaire du conseil pour 1999-2000.
6. Soustraire du nombre calculé aux termes de la disposition 5 la capacité d'accueil au secondaire du conseil, exprimée en places, que le ministre calcule conformément au paragraphe (13).
7. Multiplier le nombre obtenu aux termes de la disposition 6, s'il est positif, par la superficie repère requise de 12,07 mètres carrés.
8. Multiplier le produit obtenu aux termes de la disposition 7 par le coût repère de construction de nouvelles écoles de 129,17 \$ le mètre carré.
9. Additionner les produits obtenus aux termes des dispositions 4 et 8.
10. Multiplier la somme obtenue aux termes de la disposition 9 par le facteur de redressement géographique précisé pour le conseil au tableau 6, pour obtenir la somme liée aux nouvelles places pour le conseil.

(12) Les définitions qui suivent s'appliquent aux paragraphes (13) à (17).

«aire d'enseignement» Espace dans une école qui peut raisonnablement être d'utilité aux fins de l'enseignement. («instructional space»)

«données sur les installations scolaires» Données relatives aux installations scolaires des conseils et, en outre, plans d'étage et autres données réunies conformément au système de répertoire des installations scolaires du ministère. («school facilities data»)

(13) Pour l'application des dispositions 2 et 6 du paragraphe (11), le ministre calcule la capacité d'accueil à l'élémentaire et au secondaire du conseil de la manière suivante :

1. Appliquer les charges établies aux termes du paragraphe (14) aux aires d'enseignement à l'élémentaire et au secondaire du conseil, classées aux termes du même paragraphe.
2. Redresser, s'il y a lieu, le résultat obtenu aux termes de la disposition 1 conformément au paragraphe (15).
3. Redresser, s'il y a lieu, le résultat obtenu aux termes de la disposition 2 conformément aux paragraphes (19) et (20).

(14) Le ministre établit les charges et les catégories d'aires d'enseignement de la manière suivante :

1. À partir des données sur les installations scolaires, le ministre désigne des catégories d'aires d'enseignement. Lorsqu'il désigne ces catégories, il tient compte, notamment, des catégories figurant dans le rapport d'août 1998 du Comité d'étude des subventions pour les installations destinées aux élèves, que le ministère a remis aux conseils scolaires en août 1998 et que le public peut consulter aux bureaux du ministère de l'Éducation et de la Formation, au 900, rue Bay, Toronto (Ontario) M7A 1L2.
2. Le ministre affecte une charge à chaque catégorie d'aires d'enseignement qu'il désigne aux termes de la disposition 1, en fonction du nombre d'élèves qu'il est raisonnablement possible d'accueillir dans chacune d'elles.

(15) Le ministre effectue, aux termes de la disposition 2 du paragraphe (13), les redressements qu'il estime indiqués afin de comptabiliser les sommes qu'un conseil a reçues d'un autre relativement à une décision prise aux termes du Règlement de l'Ontario 460/97 à l'égard de l'affectation d'un élément d'actif d'un ancien conseil.

(16) For the purposes of paragraph 15 of subsection (3), paragraph 14 of subsection (10) and subsection (19), the Minister shall determine the capacity of an elementary school as follows:

1. Apply the loadings determined under subsection (14) to the instructional spaces of the school, as categorized under subsection (14).
2. Take the elementary capacity for the board that governs the school, as determined under subsection (13) but without applying paragraph 2 of that subsection.
3. Multiply the elementary capacity for the board that governs the school, as determined under subsection (13), by the amount determined under paragraph 1.
4. Divide the product obtained under paragraph 3 by the amount taken under paragraph 2.

(17) For the purposes of paragraph 17 of subsection (3), paragraph 16 of subsection (10) and subsection (20), the Minister shall determine the capacity of a secondary school as follows:

1. Apply the loadings determined under subsection (14) to the instructional spaces of the school, as categorized under subsection (14).
2. Take the secondary capacity for the board that governs the school, as determined under subsection (13) but without applying paragraph 2 of that subsection.
3. Multiply the secondary capacity for the board that governs the school, as determined under subsection (13), by the amount determined under paragraph 1.
4. Divide the product obtained under paragraph 3 by the amount taken under paragraph 2.

(18) Subsection (19) or (20) applies in relation to an elementary or secondary school of a board if,

- (a) the board has submitted evidence satisfactory to the Minister that the board has,
 - (i) by December 31, 1998, developed a pupil accommodation review policy containing the four elements specified in Appendix B of the technical paper published by the Ministry entitled "Student Focused Funding—Pupil Accommodation Grants", dated September, 1998,
 - (ii) by December 31, 1998, passed a resolution to close the school at the end of the 1998-99 school year, and
 - (iii) within 30 days of passing a resolution described in subclause (ii) in respect of the school, issued a proposal under Ontario Regulation 444/98 to dispose of the school at no cost to the Ontario Realty Corporation or to a board; or
- (b) the board has notified the Minister in writing that the school will be disposed of in accordance with an order of the Education Improvement Commission under Ontario Regulation 460/97.

(19) The elementary capacity determined for the board under subsection (13) shall be adjusted as follows:

1. For each elementary school of the board to which subsection (18) applies, determine a capacity in accordance with subsection (16).

(16) Pour l'application de la disposition 15 du paragraphe (3), de la disposition 14 du paragraphe (10) et du paragraphe (19), le ministre calcule la capacité d'accueil d'une école élémentaire de la manière suivante :

1. Appliquer les charges établies aux termes du paragraphe (14) aux aires d'enseignement de l'école, classées aux termes du même paragraphe.
2. Prendre la capacité d'accueil à l'élémentaire du conseil dont relève l'école, calculée aux termes du paragraphe (13), mais sans appliquer la disposition 2 de ce paragraphe.
3. Multiplier la capacité d'accueil à l'élémentaire du conseil dont relève l'école, calculée aux termes du paragraphe (13), par le nombre obtenu aux termes de la disposition 1.
4. Diviser le produit obtenu aux termes de la disposition 3 par le nombre pris aux termes de la disposition 2.

(17) Pour l'application de la disposition 17 du paragraphe (3), de la disposition 16 du paragraphe (10) et du paragraphe (20), le ministre calcule la capacité d'accueil d'une école secondaire de la manière suivante :

1. Appliquer les charges établies aux termes du paragraphe (14) aux aires d'enseignement de l'école, classées aux termes du même paragraphe.
2. Prendre la capacité d'accueil au secondaire du conseil dont relève l'école, calculée aux termes du paragraphe (13), mais sans appliquer la disposition 2 de ce paragraphe.
3. Multiplier la capacité d'accueil au secondaire du conseil dont relève l'école, calculée aux termes du paragraphe (13), par le nombre obtenu aux termes de la disposition 1.
4. Diviser le produit obtenu aux termes de la disposition 3 par le nombre pris aux termes de la disposition 2.

(18) Le paragraphe (19) ou (20) s'applique à l'égard d'une école élémentaire ou secondaire d'un conseil dans l'un ou l'autre des cas suivants :

- a) le conseil a soumis des preuves satisfaisantes de ce qui suit au ministre :
 - (i) au plus tard le 31 décembre 1998, il a élaboré une politique d'examen des installations destinées aux élèves qui comportait les quatre éléments précisés dans l'annexe B du document technique publié par le ministère en septembre 1998 et intitulé «Financement axé sur les besoins des élèves — Subventions pour les installations destinées aux élèves»,
 - (ii) au plus tard le 31 décembre 1998, il a adopté une résolution selon laquelle il fermerait l'école à la fin de l'année scolaire 1998-1999,
 - (iii) dans les 30 jours de l'adoption de la résolution visée au sous-alinéa (ii) à l'égard de l'école, il a, en vertu du Règlement de l'Ontario 444/98, présenté une proposition d'aliénation de l'école, sans contrepartie, en faveur de la Société immobilière de l'Ontario ou d'un conseil;
- b) le conseil a avisé le ministre par écrit de l'aliénation de l'école conformément à une ordonnance prise par la Commission d'amélioration de l'éducation en vertu du Règlement de l'Ontario 460/97.

(19) La capacité d'accueil à l'élémentaire calculée pour le conseil aux termes du paragraphe (13) est redressée de la manière suivante :

1. Pour chaque école élémentaire du conseil à laquelle s'applique le paragraphe (18), calculer la capacité d'accueil conformément au paragraphe (16).

2. Total the amounts determined under paragraph 1 for elementary schools of the board.
3. Subtract the total determined under paragraph 2 from the elementary capacity determined for the board under subsection (13).

(20) The secondary capacity determined for the board under subsection (13) shall be adjusted as follows:

1. For each secondary school of the board to which subsection (18) applies, determine a capacity in accordance with subsection (17).
2. Total the amounts determined under paragraph 1 for secondary schools of the board.
3. Subtract the total determined under paragraph 2 from the secondary capacity determined for the board under subsection (13).

(21) The amount for the board for outstanding capital commitments shall be determined as follows:

1. Take the number of elementary school pupil places shown in Column 2 of Table 7, opposite the name of the board.
2. Multiply the number taken under paragraph 1 by the benchmark area requirement per pupil of 9.29 metres squared.
3. Multiply the product obtained under paragraph 2 by the benchmark construction cost of \$118.40 per metre squared.
4. Take the number of secondary school pupil places shown in Column 3 of Table 7, opposite the name of the board.
5. Multiply the number taken under paragraph 4 by the benchmark area requirement per pupil of 12.07 metres squared.
6. Multiply the product obtained under paragraph 5 by the benchmark construction cost of \$129.17 per metre squared.
7. Add the products obtained under paragraphs 3 and 6.

DEBT CHARGES ALLOCATION

39. (1) Subject to subsections (2) and (3), for the purposes of paragraph 2 of section 11, the amount of the debt charges allocation for a district school board shall be the total of the payments on account of principal and interest that are due and payable by the board in the 1999-2000 fiscal year in order to service debt incurred, by the board or by a predecessor old board of the board, to finance the acquisition of a capital asset where,

- (a) the acquisition is pursuant to a contractual obligation entered into by the board or predecessor old board before May 15, 1998; or
- (b) the acquisition is for the purposes of a capital project the estimated project cost of which was approved in writing by the Minister before May 15, 1998.

(2) With respect to debt incurred before May 15, 1998, subsection (1) ceases to apply in respect of a debt if the amount, terms or conditions of the obligation are renegotiated on or after May 15, unless the renegotiated amount, terms and conditions are approved in writing by the Minister.

(3) With respect to debt incurred on or after May 15, 1998, subsection (1) applies only if the amount, terms and conditions of the debt are approved in writing by the Minister.

2. Additionner les nombres obtenus aux termes de la disposition 1 pour les écoles élémentaires du conseil.
3. Soustraire le total obtenu aux termes de la disposition 2 de la capacité d'accueil à l'élémentaire calculée pour le conseil aux termes du paragraphe (13).

(20) La capacité d'accueil au secondaire calculée pour le conseil aux termes du paragraphe (13) est redressée de la manière suivante :

1. Pour chaque école secondaire du conseil à laquelle s'applique le paragraphe (18), calculer la capacité d'accueil conformément au paragraphe (17).
2. Additionner les nombres obtenus aux termes de la disposition 1 pour les écoles secondaires du conseil.
3. Soustraire le total obtenu aux termes de la disposition 2 de la capacité d'accueil au secondaire calculée pour le conseil aux termes du paragraphe (13).

(21) La somme liée aux engagements d'immobilisations non réalisés pour le conseil est calculée de la manière suivante :

1. Prendre le nombre de places à l'élémentaire qui figure dans la colonne 2 du tableau 7, en regard du nom du conseil.
2. Multiplier le nombre pris aux termes de la disposition 1 par la superficie repère requise par élève de 9,29 mètres carrés.
3. Multiplier le produit obtenu aux termes de la disposition 2 par le coût repère de construction de nouvelles écoles de 118,40 \$ le mètre carré.
4. Prendre le nombre de places au secondaire qui figure dans la colonne 3 du tableau 7, en regard du nom du conseil.
5. Multiplier le nombre pris aux termes de la disposition 4 par la superficie repère requise par élève de 12,07 mètres carrés.
6. Multiplier le produit obtenu aux termes de la disposition 5 par le coût repère de construction de nouvelles écoles de 129,17 \$ le mètre carré.
7. Additionner les produits obtenus aux termes des dispositions 3 et 6.

ÉLÉMENT SERVICE DE LA DETTE

39. (1) Sous réserve des paragraphes (2) et (3), pour l'application de la disposition 2 de l'article 11, l'élément service de la dette pour un conseil scolaire de district correspond au total des paiements, au titre du principal et des intérêts, qui sont exigibles du conseil au cours de l'exercice 1999-2000 pour assurer le service de la dette que celui-ci ou un ancien conseil qu'il remplace a contractée en vu de financer l'acquisition d'une immobilisation, si, selon le cas :

- a) l'acquisition est faite en vertu d'une obligation contractuelle que le conseil ou un ancien conseil qu'il remplace a contractée avant le 15 mai 1998;
- b) l'acquisition est faite aux fins d'un projet d'immobilisations dont le ministre a approuvé par écrit le coût estimatif avant le 15 mai 1998.

(2) Le paragraphe (1) cesse de s'appliquer à l'égard d'une dette contractée avant le 15 mai 1998 si le montant ou les conditions de l'obligation sont renégociés le 15 mai ou après cette date, à moins que le ministre n'approuve par écrit le montant et les conditions renégociés.

(3) Le paragraphe (1) ne s'applique à l'égard d'une dette contractée le 15 mai 1998 ou après cette date que si le ministre en approuve par écrit le montant et les conditions.

PHASE-IN FUNDING

40. For the purposes of paragraph 4 of section 11, the total determined for a district school board under paragraph 3 of section 11 shall be adjusted as follows:

1. Calculate the operating revenue for the 1998-99 fiscal year for the board, in accordance with section 41.
2. Calculate the operating revenue for the 1999-2000 fiscal year for the board, in accordance with section 42.
3. Using the calculations under paragraphs 1 and 2, calculate the change in operating revenue for the board, in accordance with section 43.
4. Calculate the 1998-99 enrolment for the board, in accordance with section 44.
5. Calculate the adjusted change in operating revenue for the board, in accordance with section 45.
6. Where the adjusted change in operating revenue for the board is more than 1.04, subtract an amount determined in accordance with section 46 from the total determined for the board under paragraph 3 of section 11.
7. This paragraph does not apply where the adjusted change in operating revenue for the board is more than 1.04. Where the adjusted change in operating revenue for the board or the change in operating revenue for the board is less than 0.96, add an amount determined in accordance with section 47 to the total determined for the board under paragraph 3 of section 11.

41. (1) For the purposes of paragraph 1 of section 40, the operating revenue for the 1998-99 fiscal year for a district school board shall be calculated as follows:

1. Take the amount calculated for the board under section 42 of Ontario Regulation 287/98. Add back the amount, if any, deducted for the board under paragraph 6 of that section.
2. Where paragraph 6 of section 40 of Ontario Regulation 287/98 applies, adjust the amount taken under paragraph 1 by deducting the amount calculated under subsection 46 (2) of Ontario Regulation 287/98.
3. Where paragraph 7 of section 40 of Ontario Regulation 287/98 applies, adjust the amount taken under paragraph 1 by adding the amount calculated under subsection 47 (2) of Ontario Regulation 287/98.
4. In the case of Conseil scolaire de district du Grand Nord de l'Ontario, deduct an amount determined as follows:
 - i. Determine the 1998-99 day school average daily enrolment of pupils of the board, within the meaning of Ontario Regulation 287/98, counting only pupils of the board who were enrolled in the schools listed in subsection (2) during the period from September 1, 1998 to August 31, 1999.
 - ii. Multiply the enrolment determined under subparagraph i by \$11,500.
5. In the case of Conseil scolaire de district catholique du Nouvel-Ontario, add the amount determined under paragraph 4.

(2) The following are the schools referred to in subparagraph i of paragraph 4 of subsection (1):

1. École secondaire Chapleau in Chapleau.

RÉDUCTION OU AUGMENTATION PROGRESSIVE DU FINANCEMENT

40. Pour l'application de la disposition 4 de l'article 11, la somme obtenue pour un conseil scolaire de district aux termes de la disposition 3 de l'article 11 est redressée de la manière suivante :

1. Calculer les recettes de fonctionnement de l'exercice 1998-1999 du conseil conformément à l'article 41.
2. Calculer les recettes de fonctionnement de l'exercice 1999-2000 du conseil conformément à l'article 42.
3. À partir des calculs effectués aux termes des dispositions 1 et 2, calculer la variation des recettes de fonctionnement du conseil conformément à l'article 43.
4. Calculer l'effectif de 1998-1999 du conseil conformément à l'article 44.
5. Calculer la variation redressée des recettes de fonctionnement du conseil conformément à l'article 45.
6. Si la variation redressée des recettes de fonctionnement du conseil est supérieure à 1,04, soustraire une somme calculée conformément à l'article 46 de la somme obtenue pour le conseil aux termes de la disposition 3 de l'article 11.
7. La présente disposition ne s'applique pas si la variation redressée des recettes de fonctionnement du conseil est supérieure à 1,04. Si la variation redressée ou la variation des recettes de fonctionnement du conseil est inférieure à 0,96, ajouter une somme calculée conformément à l'article 47 au total obtenu pour le conseil aux termes de la disposition 3 de l'article 11.

41. (1) Pour l'application de la disposition 1 de l'article 40, les recettes de fonctionnement de l'exercice 1998-1999 d'un conseil scolaire de district sont calculées de la manière suivante :

1. Prendre la somme calculée pour le conseil aux termes de l'article 42 du Règlement de l'Ontario 287/98. Rajouter la somme éventuelle déduite pour le conseil aux termes de la disposition 6 du même article.
2. Si la disposition 6 de l'article 40 du Règlement de l'Ontario 287/98 s'applique, redresser la somme prise aux termes de la disposition 1 en déduisant la somme calculée aux termes du paragraphe 46 (2) du même règlement.
3. Si la disposition 7 de l'article 40 du Règlement de l'Ontario 287/98 s'applique, redresser la somme prise aux termes de la disposition 1 en ajoutant la somme calculée aux termes du paragraphe 47 (2) du même règlement.
4. Dans le cas du Conseil scolaire de district du Grand-Nord de l'Ontario, déduire la somme calculée de la manière suivante :
 - i. Calculer l'effectif quotidien moyen de jour des élèves du conseil pour 1998-1999, au sens du Règlement de l'Ontario 287/98, en ne comptant que les élèves du conseil qui étaient inscrits aux écoles énumérées au paragraphe (2) pendant la période qui commence le 1^{er} septembre 1998 et qui se termine le 31 août 1999.
 - ii. Multiplier l'effectif calculé aux termes de la sous-disposition i par 11 500 \$.
5. Dans le cas du Conseil scolaire de district catholique du Nouvel-Ontario, ajouter la somme calculée aux termes de la disposition 4.

(2) Les écoles visées à la sous-disposition i de la disposition 4 du paragraphe (1) sont les suivantes :

1. L'école secondaire Chapleau, située à Chapleau.

2. École secondaire Jeunesse-Nord in Blind River.

3. École secondaire Espanola in Espanola.

42. For the purposes of paragraph 2 of section 40, the operating revenue for the 1999-2000 fiscal year for a district school board shall be calculated as follows:

1. Total the amounts determined for the board under this Regulation for each type of allocation, not including the amount of the debt charges allocation for the board, as determined under section 39, and the amount of the summer school remedial allocation for the board, as determined under section 32.
2. Deduct the amount determined for the board for school renewal under subsection 38 (10).
3. Deduct the amount determined for the board for new pupil places under subsection 38 (11).
4. Deduct the amount determined for the board for outstanding capital commitments under subsection 38 (21).
5. Deduct the total of the approved special incidence ISA claims for pupils of the board, as determined for the purposes of clause 18 (b).
6. Where an adjustment has been made under section 20 to the amount calculated for the board under section 18, the amount deducted for the board under paragraph 5 shall be increased or decreased by the amount that the Minister considers appropriate to take account of the adjustment made under section 20.

43. For the purposes of paragraph 3 of section 40, the change in operating revenue for a board shall be calculated by dividing the operating revenue for the 1999-2000 fiscal year for the board, as determined under section 42, by the operating revenue for the 1998-99 fiscal year for the board, as determined under section 41.

44. (1) For the purposes of paragraph 4 of section 40, the 1998-99 enrolment for a board is the 1998-99 day school average daily enrolment for the board, within the meaning of Ontario Regulation 287/98, except that,

- (a) pupils who were enrolled in junior kindergarten during the period from September 1, 1998 to August 31, 1999 shall not be counted; and
- (b) all pupils enrolled in kindergarten during the period from September 1, 1998 to August 31, 1999 shall be counted as half-time pupils.

(2) In the case of Conseil scolaire de district du Grand Nord de l'Ontario, the 1998-99 day school average daily enrolment determined under subsection (1) shall be adjusted by deducting the enrolment amount determined under subparagraph i of paragraph 4 of subsection 41 (1).

(3) In the case of Conseil scolaire de district catholique du Nouvel-Ontario, the 1998-99 day school average daily enrolment determined under subsection (1) shall be adjusted by adding the enrolment amount determined under subparagraph i of paragraph 4 of subsection 41 (1).

45. For the purposes of paragraph 5 of section 40, the adjusted change in operating revenue for a board shall be calculated by multiplying the change in operating revenue calculated for the board under section 43 by a factor obtained by dividing the 1998-99 enrolment for the board, calculated under section 44, by the 1999-2000 day school average daily enrolment of pupils of the board, excluding pupils of the board enrolled in junior kindergarten.

46. (1) This section applies where the adjusted change in operating revenue for the board, as calculated under section 45, is more than 1.04.

2. L'école secondaire Jeunesse-Nord, située à Blind River.

3. L'école secondaire Espanola, située à Espanola.

42. Pour l'application de la disposition 2 de l'article 40, les recettes de fonctionnement de l'exercice 1999-2000 d'un conseil scolaire de district sont calculées de la manière suivante :

1. Additionner les sommes calculées pour le conseil aux termes du présent règlement pour chaque genre d'élément, à l'exclusion de l'élément service de la dette pour le conseil, calculé aux termes de l'article 39, et de l'élément cours d'été de rattrapage pour le conseil, calculé aux termes de l'article 32.
2. Déduire la somme calculée pour le conseil au titre de la réfection des écoles aux termes du paragraphe 38 (10).
3. Déduire la somme calculée pour le conseil au titre des nouvelles places aux termes du paragraphe 38 (11).
4. Déduire la somme calculée pour le conseil au titre des engagements d'immobilisations non réalisés aux termes du paragraphe 38 (21).
5. Déduire le total des demandes d'AAS pour cas spéciaux approuvées à l'égard des élèves du conseil, tel qu'il est calculé pour l'application de l'alinéa 18 b).
6. Si la somme calculée pour le conseil aux termes de l'article 18 a été redressée aux termes de l'article 20, la somme calculée pour le conseil aux termes de la disposition 5 est augmentée ou réduite de la somme que le ministre estime indiquée pour prendre en compte ce redressement.

43. Pour l'application de la disposition 3 de l'article 40, la variation des recettes de fonctionnement d'un conseil est calculée en divisant les recettes de fonctionnement de l'exercice 1999-2000 du conseil, calculées aux termes de l'article 42, par ses recettes de fonctionnement pour l'exercice 1998-1999, calculées aux termes de l'article 41.

44. (1) Pour l'application de la disposition 4 de l'article 40, l'effectif de 1998-1999 d'un conseil correspond à l'effectif quotidien moyen de jour des élèves du conseil pour 1998-1999, au sens du Règlement de l'Ontario 287/98, sauf que :

- a) d'une part, les élèves qui sont inscrits à la maternelle pendant la période qui commence le 1^{er} septembre 1998 et qui se termine le 31 août 1999 ne sont pas comptés;
- b) d'une part, tous les élèves qui sont inscrits au jardin d'enfants pendant la période qui commence le 1^{er} septembre 1998 et qui se termine le 31 août 1999 sont comptés comme élèves à mi-temps.

(2) Dans le cas du Conseil scolaire de district du Grand-Nord de l'Ontario, l'effectif quotidien moyen de jour de 1998-1999 calculé aux termes du paragraphe (1) est redressé en déduisant l'effectif calculé aux termes de la sous-disposition i de la disposition 4 du paragraphe 41 (1).

(3) Dans le cas du Conseil scolaire de district catholique du Nouvel-Ontario, l'effectif quotidien moyen de jour de 1998-1999 calculé aux termes du paragraphe (1) est redressé en ajoutant l'effectif calculé aux termes de la sous-disposition i de la disposition 4 du paragraphe 41 (1).

45. Pour l'application de la disposition 5 de l'article 40, la variation redressée des recettes de fonctionnement d'un conseil est calculée en multipliant la variation des recettes de fonctionnement calculée pour le conseil aux termes de l'article 43 par un facteur obtenu en divisant l'effectif de 1998-1999 du conseil, calculé aux termes de l'article 44, par l'effectif quotidien moyen de jour des élèves du conseil, à l'exclusion de ceux inscrits à la maternelle, pour 1999-2000.

46. (1) Le présent article s'applique si la variation redressée des recettes de fonctionnement du conseil, calculée aux termes de l'article 45, est supérieure à 1,04.

(2) Where this section applies, an amount calculated as follows shall be subtracted from the total determined for the board under paragraph 3 of section 11:

1. Determine the amount by which the adjusted change in operating revenue for the board, as calculated under section 45, exceeds 1.04. If this excess amount is greater than 0.04, reduce it to 0.04.
2. Multiply the excess amount obtained under paragraph 1 by the operating revenue for the 1998-99 fiscal year for the board, as calculated under section 41.

47. (1) This section applies,

- (a) where the adjusted change in operating revenue for the board, as calculated under section 45, is less than 0.96; or
- (b) where the change in operating revenue for the board, as calculated under section 43, is less than 0.96, if the adjusted change in operating revenue for the board, as calculated under section 45, is not more than 1.04.

(2) Where this section applies, an amount calculated as follows shall be added to the total determined for the board under paragraph 3 of section 11:

1. Determine the amount by which the change in operating revenue for the board, as calculated under section 43, is less than 0.96.
2. Multiply the amount obtained under paragraph 1 by the operating revenue for the 1998-99 fiscal year for the board, as calculated under section 41.
3. Determine the amount by which the adjusted change in operating revenue for the board, as calculated under section 45, is less than 0.96.
4. Multiply the amount obtained under paragraph 3 by the operating revenue for the 1998-99 fiscal year for the board, as calculated under section 41.
5. Take the greater of the amounts determined under paragraphs 2 and 4.
6. Deduct from the amount determined under paragraph 5 the total of the approved special incidence ISA claims for pupils of the board, as determined for the purposes of clause 18 (b).
7. Where an adjustment has been made under section 20 to the amount calculated for the board under section 18, the amount deducted for the board under paragraph 6 shall be increased or decreased by the amount that the Minister considers appropriate to take account of the adjustment made under section 20.

STABLE FUNDING GUARANTEE

48. (1) This section applies to a district school board if the amount determined under section 41 as the operating revenue for the 1998-99 fiscal year for a board exceeds the amount determined for the board in accordance with subsection (2).

(2) The second amount referred to in subsection (1) shall be determined as follows:

1. If neither paragraph 6 nor paragraph 7 of section 40 applies to the board, take the amount determined under section 42 as the operating revenue for the 1999-2000 fiscal year for the board. Add the total of the approved special incidence ISA claims for pupils of the board, as determined for the purposes of clause 18 (b), adjusted, where applicable, in accordance with subsection (3).

(2) Si le présent article s'applique, il est soustrait du total obtenu pour le conseil aux termes de la disposition 3 de l'article 11 une somme calculée de la manière suivante :

1. Calculer l'excédent de la variation redressée des recettes de fonctionnement du conseil, calculées aux termes de l'article 45, sur 1,04. Ramener l'excédent à 0,04 s'il est supérieur à ce nombre.
2. Multiplier l'excédent obtenu aux termes de la disposition 1 par les recettes de fonctionnement de l'exercice 1998-1999 du conseil, calculées aux termes de l'article 41.

47. (1) Le présent article s'applique dans l'un ou l'autre des cas suivants :

- a) la variation redressée des recettes de fonctionnement du conseil, calculée aux termes de l'article 45, est inférieure à 0,96;
- b) la variation des recettes de fonctionnement du conseil, calculée aux termes de l'article 43, est inférieure à 0,96, si celle calculée aux termes de l'article 45 n'est pas supérieure à 1,04.

(2) Si le présent article s'applique, il est ajouté au total obtenu pour le conseil aux termes de la disposition 3 de l'article 11 une somme calculée de la manière suivante :

1. Calculer la différence entre la variation des recettes de fonctionnement du conseil, calculées aux termes de l'article 43, et 0,96.
2. Multiplier la somme obtenue aux termes de la disposition 1 par les recettes de fonctionnement de l'exercice 1998-1999 du conseil, calculées aux termes de l'article 41.
3. Calculer la différence entre la variation redressée des recettes de fonctionnement du conseil, calculée aux termes de l'article 45, et 0,96.
4. Multiplier la somme obtenue aux termes de la disposition 3 par les recettes de fonctionnement de l'exercice 1998-1999 du conseil, calculées aux termes de l'article 41.
5. Prendre la plus élevée des sommes calculées aux termes des dispositions 2 et 4.
6. Déduire de la somme calculée aux termes de la disposition 5 le total des demandes d'AAS pour cas spéciaux approuvées à l'égard des élèves du conseil, tel qu'il est calculé pour l'application de l'alinéa 18 b).
7. Si la somme calculée pour le conseil aux termes de l'article 18 a été redressée aux termes de l'article 20, la somme déduite pour le conseil aux termes de la disposition 6 est augmentée ou réduite de la somme que le ministre estime indiquée pour prendre en compte ce redressement.

FINANCEMENT STABLE GARANTI

48. (1) Le présent article s'applique au conseil scolaire de district dont les recettes de fonctionnement de l'exercice 1998-1999, calculées aux termes de l'article 41, sont supérieures à la somme calculée pour lui conformément au paragraphe (2).

(2) La somme visée au paragraphe (1) est calculée de la manière suivante :

1. Si ni la disposition 6 ni la disposition 7 de l'article 40 ne s'applique au conseil, prendre les recettes de fonctionnement de l'exercice 1999-2000 calculées pour le conseil aux termes de l'article 42. Ajouter le total des demandes d'AAS pour cas spéciaux approuvées à l'égard des élèves du conseil, tel qu'il est calculé pour l'application de l'alinéa 18 b) et redressé le cas échéant conformément au paragraphe (3).

2. If paragraph 6 of section 40 applies to the board, take the amount determined under section 42 as the operating revenue for the 1999-2000 fiscal year for the board. Subtract the amount calculated for the board under subsection 46 (2).
3. If paragraph 7 of section 40 applies to the board, take the amount determined under section 42 as the operating revenue for the 1999-2000 fiscal year for the board. Add the amount calculated for the board under subsection 47 (2). Add the total of the approved special incidence ISA claims for pupils of the board, as determined for the purposes of clause 18 (b), adjusted, where applicable, in accordance with subsection (3).
- (3) Where an adjustment has been made under section 20 to the amount calculated for the board under section 18, the amount added for the board under paragraph 1 or 3, as the case may be, as the total of the approved special incidence ISA claims for its pupils shall be increased or decreased by the amount that the Minister considers appropriate to take account of the adjustment made under section 20.
- (4) For the purposes of paragraph 5 of section 11, the stable funding guarantee amount for a district school board shall be the amount by which the operating revenue for the 1998-99 fiscal year for the board, as determined under section 41, exceeds the amount determined for the board under subsection (2).

GRANTS FOR CERTAIN CAPITAL PROJECTS

49. (1) For the purposes of this section,

"Canada-Ontario Infrastructure Works capital project" means a project funded under the Canada-Ontario Infrastructure Program Agreement, dated January 1, 1994 and amended August 26, 1996.

(2) Any grant or portion of a grant that, but for this subsection, would be payable to a district school board under a previous legislative grant regulation in respect of any capital project, other than a Canada-Ontario Infrastructure Works capital project, and that is not paid before September 1, 1999 is not payable under this Regulation or under any previous legislative grant regulation.

(3) Any grant or portion of a grant that, but for this section, would be payable to a district school board under a previous legislative grant regulation in respect of a Canada-Ontario Infrastructure Works capital project and that is not paid before September 1, 1999,

- (a) is not payable under any previous legislative grant regulation; and

- (b) shall be deemed to be a grant payable under this Regulation.

(4) When exercising the authority provided by subsection 234 (8) of the Act for the purposes of grants or portions of grants payable under subsection (3), the Minister may provide for an instalment to be paid after August 31, 2000.

ENVELOPING

50. It is a condition of the payment of a grant to a district school board under this Regulation that the board manage its estimates process and its expenditures so as to ensure compliance with the requirements of sections 51 to 53.

51. (1) For the purposes of this section,

- (a) an expenditure by a board is a classroom expenditure if it is an expenditure categorized in the Ministry's 1998-99 Uniform Code of Accounts as a classroom expenditure; and

2. Si la disposition 6 de l'article 40 s'applique au conseil, prendre les recettes de fonctionnement de l'exercice 1999-2000 calculées pour le conseil aux termes de l'article 42 et soustraire la somme calculée pour lui aux termes du paragraphe 46 (2).
3. Si la disposition 7 de l'article 40 s'applique au conseil, prendre les recettes de fonctionnement de l'exercice 1999-2000 calculées pour le conseil aux termes de l'article 42 et ajouter la somme calculée pour lui aux termes du paragraphe 47 (2). Ajouter le total des demandes d'AAS pour cas spéciaux approuvées à l'égard des élèves du conseil, tel qu'il est calculé pour l'application de l'alinéa 18 b) et redressé le cas échéant conformément au paragraphe (3).

(3) Si la somme calculée pour le conseil aux termes de l'article 18 a été redressée aux termes de l'article 20, la somme ajoutée pour le conseil aux termes de la disposition 1 ou 3, selon le cas, en tant que total des demandes d'AAS pour cas spéciaux approuvées à l'égard de ses élèves est augmentée ou réduite de la somme que le ministre estime indiquée pour prendre en compte ce redressement.

(4) Pour l'application de la disposition 5 de l'article 11, la somme liée au financement stable garanti pour un conseil scolaire de district correspond à l'excédent de ses recettes de fonctionnement de l'exercice 1998-1999, calculées aux termes de l'article 41, sur la somme calculée pour lui aux termes du paragraphe (2).

SUBVENTIONS AU TITRE DE CERTAINS PROJETS D'IMMOBILISATIONS

49. (1) La définition qui suit s'applique au présent article.

«projet d'immobilisations visé par le programme Travaux d'infrastructure Canada/Ontario» Projet subventionné aux termes de l'Entente Canada-Ontario relative au programme d'infrastructure datée du 1^{er} janvier 1994 et modifiée le 26 août 1996.

(2) La subvention ou la fraction de subvention qu'un conseil scolaire de district pourrait recevoir, sans le présent paragraphe, aux termes d'un règlement antérieur sur les subventions générales à l'égard d'un projet d'immobilisations, à l'exclusion d'un projet d'immobilisations visé par le programme Travaux d'infrastructure Canada/Ontario, et qui n'est pas versée avant le 1^{er} septembre 1999 n'est pas exigible aux termes du présent règlement ni d'un règlement antérieur sur les subventions générales.

(3) La subvention ou la fraction de subvention qu'un conseil scolaire de district pourrait recevoir, sans le présent article, aux termes d'un règlement antérieur sur les subventions générales à l'égard d'un projet d'immobilisations visé par le programme Travaux d'infrastructure Canada/Ontario et qui n'est pas versée avant le 1^{er} septembre 1999 :

- a) d'une part, n'est pas exigible aux termes d'un règlement antérieur sur les subventions générales;

- b) d'autre part, est réputée une subvention que le conseil peut recevoir aux termes du présent règlement.

(4) Le ministre peut prévoir le paiement d'un versement après le 31 août 2000 lorsqu'il exerce le pouvoir que lui confère le paragraphe 234 (8) de la Loi aux fins des subventions ou fractions de subvention visées au paragraphe (3).

ENVELOPPES

50. L'obligation pour les conseils scolaires de district de gérer leur processus d'établissement des prévisions budgétaires et leurs dépenses de façon conforme aux exigences des articles 51 à 53 est une condition du versement des subventions prévues par le présent règlement.

51. (1) Pour l'application du présent article :

- a) constitue une dépense liée aux classes la dépense du conseil qui est classée comme telle dans le plan comptable uniforme de 1998-1999 du ministère;

(b) an expenditure by a board is a non-classroom expenditure if it is an expenditure categorized in the Ministry's 1998-99 Uniform Code of Accounts as a non-classroom expenditure.

(2) Subject to subsection (8), a district school board shall ensure that its 1999-2000 net classroom expenditure amount, calculated in accordance with subsection (3), is at least equal to its 1999-2000 classroom expenditure allocation amount, calculated in accordance with subsection (5).

(3) For the purposes of subsection (2), the 1999-2000 net classroom expenditure amount for a board shall be determined as follows:

1. Determine the total amount of the board's classroom expenditures in the 1999-2000 fiscal year.
2. Subtract the amount determined for the board under subsection (4), on account of classroom-related revenue from sources other than legislative grants and school taxes.

(4) For the purposes of paragraph 2 of subsection (3), the amount on account of classroom-related revenue from sources other than legislative grants and school taxes for the board shall be the total of the following amounts:

1. Take 68.49 per cent of the total of the board's revenues under sections 3, 5 and 6 of the 1999-2000 fees regulation.
2. Determine the total of the amounts spent on classroom expenditures from reserves of the board in the 1999-2000 fiscal year.
3. This paragraph applies to grants to the board, other than grants made under this Regulation, and to donations to the board, where the board is legally required to spend the full amount of the grant or donation on expenditures that are classroom expenditures within the meaning of this section. Determine the amount received by the board in the 1999-2000 fiscal year from grants and donations to which this paragraph applies.
4. This paragraph applies to grants to the board, other than grants made under this Regulation, and to donations to the board, where the board is not legally required to spend the full amount of the grant or donation on expenditures that are classroom expenditures within the meaning of this section. Determine the amount received by the board in the 1999-2000 fiscal year from grants and donations to which this paragraph applies that are spent in the 1999-2000 fiscal year on expenditures that are classroom expenditures within the meaning of this section.
5. Determine the amount received by the board in the 1999-2000 fiscal year from revenue sources not mentioned in paragraphs 1 to 4 that are spent in the 1999-2000 fiscal year on expenditures that are classroom expenditures within the meaning of this section.

(5) For the purposes of subsection (2), the 1999-2000 classroom expenditure allocation amount for a board shall be determined as follows:

1. Determine the amount calculated for the board under paragraph 2 of section 13, on account of the foundation allocation for elementary school pupils.
2. Apply the percentage specified in Table 8 for the elementary school part of foundation allocations to the amount determined for the board under paragraph 1.
3. Determine the amount calculated for the board under paragraph 4 of section 13, on account of the foundation allocation for secondary school pupils.

b) constitue une dépense non liée aux classes la dépense du conseil qui est classée comme telle dans le plan comptable uniforme de 1998-1999 du ministère.

(2) Sous réserve du paragraphe (8), un conseil scolaire de district fait en sorte que ses dépenses nettes liées aux classes pour 1999-2000, calculées conformément au paragraphe (3), soient au moins égales à ses dépenses liées aux classes pour 1999-2000, calculées conformément au paragraphe (5).

(3) Pour l'application du paragraphe (2), les dépenses nettes liées aux classes d'un conseil pour 1999-2000 sont calculées de la manière suivante :

1. Calculer les dépenses totales liées aux classes du conseil pour l'exercice 1999-2000.
2. Soustraire les recettes liées aux classes qui proviennent de sources autres que des subventions générales et des impôts scolaires, calculées pour le conseil aux termes du paragraphe (4).

(4) Pour l'application de la disposition 2 du paragraphe (3), les recettes liées aux classes qui proviennent de sources autres que des subventions générales et des impôts scolaires pour le conseil correspondant au total des sommes suivantes :

1. Prendre 68,49 pour cent du total des recettes du conseil calculées aux termes des articles 3, 5 et 6 du règlement sur les droits de 1999-2000.
2. Calculer le total des sommes affectées aux dépenses liées aux classes, prélevées sur les réserves du conseil pendant l'exercice 1999-2000.
3. La présente disposition s'applique aux subventions versées au conseil, autres que les subventions prévues aux termes du présent règlement, et aux dons qui lui sont faits, si le conseil est tenu en droit d'affecter la totalité de la subvention ou du don aux dépenses qui sont des dépenses liées aux classes au sens du présent article. Calculer la somme reçue par le conseil pendant l'exercice 1999-2000 sous forme de subventions et de dons auxquels s'applique la présente disposition.
4. La présente disposition s'applique aux subventions versées au conseil, autres que les subventions prévues aux termes du présent règlement, et aux dons qui lui sont faits, si le conseil n'est pas tenu en droit d'affecter la totalité de la subvention ou du don aux dépenses qui sont des dépenses liées aux classes au sens du présent article. Calculer la somme reçue par le conseil pendant l'exercice 1999-2000 sous forme de subventions et de dons auxquels s'applique la présente disposition et qui sont affectés, pendant l'exercice 1999-2000, à des dépenses qui sont des dépenses liées aux classes au sens du présent article.
5. Calculer les recettes que reçoit le conseil pendant l'exercice 1999-2000 de sources non mentionnées aux dispositions 1 à 4 et qui sont affectées pendant cet exercice à des dépenses qui sont des dépenses liées aux classes au sens du présent article.

(5) Pour l'application du paragraphe (2), les dépenses liées aux classes d'un conseil pour 1999-2000 sont calculées de la manière suivante :

1. Calculer la part de l'élément éducation de base, calculée pour le conseil aux termes de la disposition 2 de l'article 13, qui vise les élèves de l'élémentaire.
2. Appliquer le pourcentage précisé au tableau 8 pour la part de l'élément éducation de base qui vise les écoles élémentaires à la somme calculée pour le conseil aux termes de la disposition 1.
3. Calculer la part de l'élément éducation de base, calculée pour le conseil aux termes de la disposition 4 de l'article 13, qui vise les élèves du secondaire.

4. Apply the percentage specified in Table 8 for the secondary school part of foundation allocations to the amount determined for the board under paragraph 3.
 5. Determine an amount for the board on account of Native language and French as a first or second language, as follows:
 - i. In the case of an English-language district school board, total the amounts determined for the board under paragraphs 1 and 2 of section 21.
 - ii. In the case of a French-language district school board, total the amounts determined for the board under paragraphs 1 and 2 of section 25.
 6. Apply the percentage specified in Table 8 for Native language and French as a first or second language to the amount determined for the board under paragraph 5.
 7. Determine an amount for the board on account of ESL/ESD/ALF/PDF, as follows:
 - i. In the case of an English-language district school board, take the amount determined for the board under paragraph 3 of section 21.
 - ii. In the case of a French-language district school board, take the amount determined for the board under paragraph 3 of section 25.
 8. Apply the percentage specified in Table 8 for ESL/ESD/ALF/PDF to the amount determined for the board under paragraph 7.
 9. Take the amount determined under subsection 34 (11) as the elementary school teacher compensation allocation for the board.
 10. Apply the percentage specified in Table 8 for elementary school teacher compensation to the amount determined for the board under paragraph 9.
 11. Take the amount determined under subsection 34 (12) as the secondary school teacher compensation allocation for the board.
 12. Apply the percentage specified in Table 8 for secondary school teacher compensation to the amount determined for the board under paragraph 11.
 13. Determine the amount of each type of allocation determined for the board under sections 14, 29, 30, 31 and 35.
 14. Apply the percentage specified in Table 8 for each type of allocation for which an amount is determined under paragraph 13 to the amount determined for the board under paragraph 13 for that type of allocation.
 15. Multiply the enrolment number determined for the board under paragraph 1 of subsection 33 (1) by \$2,257, to determine an adult day school amount for the board.
 16. Apply the percentage specified in Table 8 for adult day school to the amount determined for the board under paragraph 15.
 17. Determine the amount, if any, calculated for the board under subsection 46 (2) as a phase-in funding deduction amount. Apply the percentage determined for the board under subsection (6) to that amount.
 18. Determine the amount, if any, calculated for the board under subsection 47 (2) as a phase-in funding addition amount. Apply the percentage determined for the board under subsection (6) to that amount.
4. Appliquer le pourcentage précisé au tableau 8 pour la part de l'élément éducation de base qui vise les écoles secondaires à la somme calculée pour le conseil aux termes de la disposition 3.
 5. Calculer pour le conseil une somme liée aux programmes de langue autochtone et de français langue première ou langue seconde de la manière suivante :
 - i. Dans le cas d'un conseil scolaire de district de langue anglaise, additionner les sommes calculées pour le conseil aux termes des dispositions 1 et 2 de l'article 21.
 - ii. Dans le cas d'un conseil scolaire de district de langue française, additionner les sommes calculées pour le conseil aux termes des dispositions 1 et 2 de l'article 25.
 6. Appliquer le pourcentage précisé au tableau 8 pour les sommes liées aux programmes de langue autochtone et de français langue première ou langue seconde à la somme calculée pour le conseil aux termes de la disposition 5.
 7. Calculer pour le conseil une somme liée aux programmes d'ESL/ESD/ALF/PDF de la manière suivante :
 - i. Dans le cas d'un conseil scolaire de district de langue anglaise, prendre la somme calculée pour le conseil aux termes de la disposition 3 de l'article 21.
 - ii. Dans le cas d'un conseil scolaire de district de langue française, prendre la somme calculée pour le conseil aux termes de la disposition 3 de l'article 25.
 8. Appliquer le pourcentage précisé au tableau 8 pour les sommes liées aux programmes d'ESL/ESD/ALF/PDF à la somme calculée pour le conseil aux termes de la disposition 7.
 9. Prendre l'élément rémunération des enseignants des écoles élémentaires, calculé pour le conseil aux termes du paragraphe 34 (11).
 10. Appliquer le pourcentage précisé au tableau 8 pour la rémunération des enseignants des écoles élémentaires à la somme calculée pour le conseil aux termes de la disposition 9.
 11. Prendre l'élément rémunération des enseignants des écoles secondaires, calculé pour le conseil aux termes du paragraphe 34 (12).
 12. Appliquer le pourcentage précisé au tableau 8 pour la rémunération des enseignants des écoles secondaires à la somme calculée pour le conseil aux termes de la disposition 11.
 13. Calculer le montant de chaque genre d'élément visé aux articles 14, 29, 30, 31 et 35 pour le conseil.
 14. Appliquer le pourcentage précisé au tableau 8 pour chaque genre d'élément mentionné à la disposition 13 au montant calculé pour le conseil aux termes de cette disposition pour ce genre d'élément.
 15. Multiplier l'effectif calculé pour le conseil aux termes de la disposition 1 du paragraphe 33 (1) par 2 257 \$ pour calculer la somme liée à l'éducation des adultes de jour pour le conseil.
 16. Appliquer le pourcentage précisé au tableau 8 pour l'éducation des adultes de jour à la somme calculée pour le conseil aux termes de la disposition 15.
 17. Établir la somme éventuelle calculée pour le conseil aux termes du paragraphe 46 (2) comme réduction progressive du financement. Appliquer le pourcentage calculé pour le conseil aux termes du paragraphe (6) à cette somme.
 18. Établir la somme éventuelle calculée pour le conseil aux termes du paragraphe 47 (2) comme augmentation progressive du financement. Appliquer le pourcentage calculé pour le conseil aux termes du paragraphe (6) à cette somme.

19. Take the stable funding guarantee amount, if any, determined for the board under section 48. Apply the percentage determined for the board under subsection (7) to that amount.
20. Total the amounts determined for the board under paragraphs 2, 4, 6, 8, 10, 12, 14 and 16.
21. Where paragraph 17 applies to the board, deduct the amount obtained for the board under that paragraph from the amount obtained for the board under paragraph 20.
22. Where paragraph 18 applies to the board, add the amount obtained for the board under that paragraph to the amount obtained for the board under paragraph 20.
23. Where paragraph 19 applies to the board, add the amount obtained for the board under that paragraph to the amount obtained for the board under paragraph 21 or 22, as the case may be.

(6) For the purposes of paragraphs 17 and 18 of subsection (5), the board shall determine a percentage that reasonably corresponds to the way in which the board actually applies the phase-in funding deduction amount or phase-in funding addition amount, as the case may be, to classroom expenditures in the 1999-2000 fiscal year.

(7) For the purposes of paragraph 19 of subsection (5), the board shall determine a percentage that reasonably corresponds to the way in which the board actually applies the stable funding guarantee amount to classroom expenditures in the 1999-2000 fiscal year.

(8) A board shall be deemed to be in compliance with subsection (2) where its 1999-2000 classroom expenditure allocation, calculated in accordance with subsection (5), exceeds its 1999-2000 net classroom expenditure amount, calculated in accordance with subsection (3), if the board demonstrates, in a written report to the Minister, that the excess is accounted for by reason of expenditures other than non-classroom expenditures.

(9) For example,

- (a) an amount paid on account of a part of a deficit from a previous year where the part of the deficit is reasonably attributable to classroom expenditures is not a non-classroom expenditure; and
- (b) an amount placed in a reserve fund for classroom expenditures is not a non-classroom expenditure.

(10) In making a determination under subsection (6) or (7), the board shall not apply the phase-in funding addition amount or the stable funding guarantee amount to expenditures that are not classroom expenditures and shall not apply the phase-in funding deduction amount to expenditures that are classroom expenditures if doing so would reduce the board's 1999-2000 net classroom expenditure allocation, calculated in accordance with subsection (5), to an amount lower than the amount for the board set out in the column entitled "1997 Net Expenditure" and the row entitled "9 Sub-total" in the Table entitled "Classroom—Non-classroom Summary Report", which Table was released by the Ministry to school boards on March 25, 1998 and is available for public inspection at the offices of the Ministry of Education and Training, 900 Bay Street, Toronto, Ontario, M7A 1L2.

52. (1) Subject to subsection (2), a district school board shall ensure that an amount equal to the total of the special education allocation determined for the board under section 14 and the amount placed in the board's special education reserve fund in the fiscal year beginning on September 1, 1998 and ending on August 31, 1999, less the programs in facilities amount determined for the board under section 19, is spent in the 1999-2000 fiscal year on special education for pupils of the board.

19. Prendre la somme éventuelle liée au financement stable garanti, calculée pour le conseil aux termes de l'article 48. Appliquer le pourcentage calculé pour le conseil aux termes du paragraphe (7) à cette somme.

20. Additionner les sommes calculées pour le conseil aux termes des dispositions 2, 4, 6, 8, 10, 12, 14 et 16.

21. Si la disposition 17 s'applique au conseil, déduire la somme obtenue pour le conseil aux termes de cette disposition de la somme obtenue pour le conseil aux termes de la disposition 20.

22. Si la disposition 18 s'applique au conseil, additionner la somme obtenue pour le conseil aux termes de cette disposition à la somme obtenue pour le conseil aux termes de la disposition 20.

23. Si la disposition 19 s'applique au conseil, additionner la somme obtenue pour le conseil aux termes de cette disposition à la somme obtenue pour le conseil aux termes de la disposition 21 ou 22, selon le cas.

(6) Pour l'application des dispositions 17 et 18 du paragraphe (5), le conseil calcule un pourcentage qui correspond de façon raisonnable à la manière dont il applique effectivement la réduction progressive ou l'augmentation progressive, selon le cas du financement, aux dépenses liées aux classes pendant l'exercice 1999-2000.

(7) Pour l'application de la disposition 19 du paragraphe (5), le conseil calcule un pourcentage qui correspond de façon raisonnable à la manière dont il applique effectivement la somme liée au financement stable garanti aux dépenses liées aux classes pendant l'exercice 1999-2000.

(8) Un conseil est réputé se conformer au paragraphe (2) si ses dépenses liées aux classes pour 1999-2000, calculées conformément au paragraphe (5), sont supérieures à ses dépenses nettes liées aux classes pour 1999-2000, calculées conformément au paragraphe (3), et qu'il prouve, dans un rapport écrit remis au ministre, que l'excédent se justifie par des dépenses autres que des dépenses non liées aux classes.

(9) Par exemple :

- a) la somme versée au titre de la part du déficit d'une année antérieure ne constitue pas une dépense non liée aux classes si cette part est imputable de façon raisonnable aux dépenses liées aux classes;
- b) la somme versée dans un fonds de réserve pour dépenses liées aux classes ne constitue pas une dépense non liée aux classes.

(10) Lorsqu'il fait le calcul prévu au paragraphe (6) ou (7), le conseil ne doit appliquer ni l'augmentation progressive du financement et la somme liée au financement stable garanti aux dépenses qui ne sont pas des dépenses liées aux classes, ni la réduction progressive du financement aux dépenses qui sont des dépenses liées aux classes si cette mesure avait pour effet de ramener ses dépenses nettes liées aux classes pour 1999-2000, telles qu'elles sont calculées aux termes du paragraphe (5), à une somme inférieure à la somme que le conseil a précisée dans la colonne intitulée «1997 — Dépenses nettes» et dans la rangée intitulée «9 Total partiel» du tableau intitulé «Rapport sommaire — pour la salle de classe et en dehors de la salle de classe», que le ministre a remis aux conseils scolaires le 25 mars 1998 et que le public peut consulter aux bureaux du ministère de l'Éducation et de la Formation, au 900, rue Bay, Toronto (Ontario) M7A 1L2.

52. (1) Sous réserve du paragraphe (2), le conseil scolaire de district fait en sorte qu'une somme égale au total de l'élément éducation de l'enfance en difficulté calculé pour lui aux termes de l'article 14 et de la somme versée dans son fonds de réserve pour l'éducation de l'enfance en difficulté pendant l'exercice qui commence le 1^{er} septembre 1998 et qui se termine le 31 août 1999, déduction faite de la somme liée aux programmes dispensés dans des établissements calculée pour lui aux termes de l'article 19, soit affectée pendant l'exercice 1999-2000 à des mesures d'éducation de l'enfance en difficulté pour ses élèves.

(2) Where a board's expenditure on special education for its pupils in the 1999-2000 fiscal year is less than the result obtained by subtracting the programs in facilities amount determined for the board under section 19 from the total of the special education allocation determined for the board under section 14 and the amount placed in the board's special education reserve fund in the fiscal year beginning on September 1, 1998 and ending on August 31, 1999, the board shall place the difference in the board's special education reserve fund.

(3) This section shall not be interpreted as limiting the amount that a board may spend on special education.

53. (1) Subject to subsection (2), a district school board shall ensure that an amount equal to the total of the following three amounts is spent in the 1999-2000 fiscal year on the acquisition of capital assets:

1. The amount determined for the board under subsection 38 (10) for school renewal.
2. The amount determined for the board under subsection 38 (11) for new pupil places.
3. The amount determined for the board under subsection 38 (21) for outstanding capital commitments.

(2) Where a board's expenditure in the 1999-2000 fiscal year on the acquisition of capital assets is less than the total amount referred to in subsection (1), the board shall place the difference in the board's pupil accommodation allocation reserve fund.

(3) This section shall not be interpreted as limiting the amount that a board may spend on the acquisition of capital assets.

54. (1) It is a condition of the payment of a grant to a district school board under this Regulation that,

- (a) the board manage its estimates process and its expenditures so that the total of its administration expenditures and governance expenditures in the 1999-2000 fiscal year does not exceed the administration and governance allocation amount determined for it under section 37; or

- (b) the board submit the plan referred to in subsection (3).

(2) For the purposes of this section,

- (a) an expenditure by a board is an administration expenditure if it is an expenditure categorized in the Ministry's 1998-99 Uniform Code of Accounts as an administration expenditure; and
- (b) an expenditure by a board is a governance expenditure if it is an expenditure categorized in the Ministry's 1998-99 Uniform Code of Accounts as a governance expenditure.

(3) Where the total of a board's administration expenditures and governance expenditures in the 1999-2000 fiscal year exceeds the administration and governance allocation amount determined for the board under section 37, the board shall submit a written plan to the Minister outlining how it proposes to reduce the total of the amounts that it spends on administration expenditures and governance expenditures so that, by the fiscal year 2000-2001, that total does not exceed the administration and governance allocation amount determined for the board under section 37.

(4) Where a board to which subsection (3) applies submitted a plan under subsection 54 (6) of Ontario Regulation 287/98, the board shall meet the requirements of subsection (3) by updating that plan and submitting the updated plan to the Minister.

(2) Le conseil verse dans son fonds de réserve pour l'éducation de l'enfance en difficulté la différence entre la dépense qu'il affecte à des mesures d'éducation de l'enfance en difficulté pour ses élèves pendant l'exercice 1999-2000 et le résultat obtenu en soustrayant la somme liée aux programmes dispensés dans des établissements calculée pour lui aux termes de l'article 19 du total de l'élément éducation de l'enfance en difficulté calculé pour lui aux termes de l'article 14 et de la somme versée dans son fonds de réserve pour l'éducation de l'enfance en difficulté pendant l'exercice qui commence le 1^{er} septembre 1998 et qui se termine le 31 août 1999, si la dépense est inférieure à ce résultat.

(3) Le présent article ne doit pas être interprété de façon à limiter la somme que le conseil peut affecter à des mesures d'éducation de l'enfance en difficulté.

53. (1) Sous réserve du paragraphe (2), le conseil scolaire de district fait en sorte qu'une somme égale au total des trois sommes suivantes soit affectée à l'acquisition d'immobilisations au cours de l'exercice 1999-2000 :

1. La somme calculée pour le conseil aux termes du paragraphe 38 (10) au titre de la réfection des écoles.
2. La somme calculée pour le conseil aux termes du paragraphe 38 (11) au titre des nouvelles places.
3. La somme calculée pour le conseil aux termes du paragraphe 38 (21) au titre des engagements d'immobilisations non réalisés.

(2) Le conseil verse dans son fonds de réserve pour les installations d'accueil pour les élèves la différence entre la dépense qu'il engage pour faire l'acquisition d'immobilisations au cours de l'exercice 1999-2000 et le total visé au paragraphe (1) si la dépense est inférieure à ce total.

(3) Le présent article ne doit pas être interprété de façon à limiter la somme que le conseil peut affecter à l'acquisition d'immobilisations.

54. (1) Constitue une condition du versement des subventions prévues par le présent règlement l'obligation pour les conseils scolaires de district :

- a) soit de gérer leur processus d'établissement des prévisions budgétaires et leurs dépenses de façon que le total des dépenses d'administration et de gestion qu'ils engagent au cours de l'exercice 1999-2000 ne soit pas supérieur à l'élément administration et gestion calculé pour eux aux termes de l'article 37;

- b) soit de remettre le plan visé au paragraphe (3).

(2) Pour l'application du présent article :

- a) constitue une dépense d'administration la dépense du conseil qui est classée comme telle dans le plan comptable uniforme de 1998-1999 du ministère;
- b) constitue une dépense de gestion la dépense du conseil qui est classée comme telle dans le plan comptable uniforme de 1998-1999 du ministère.

(3) Si le total des dépenses d'administration et de gestion que le conseil engage pendant l'exercice 1999-2000 est supérieur à l'élément administration et gestion calculé pour le conseil aux termes de l'article 37, le conseil soumet par écrit au ministre un plan exposant les mesures qu'il se propose de prendre pour réduire le total des sommes qu'il affecte aux dépenses d'administration et aux dépenses de gestion de sorte que, d'ici l'exercice 2000-2001, ce total ne soit pas supérieur à cet élément.

(4) Le conseil auquel s'applique le paragraphe (3) et qui a soumis un plan aux termes du paragraphe 54 (6) du Règlement de l'Ontario 287/98 satisfait aux exigences du paragraphe (3) en mettant ce plan à jour et en soumettant le plan mis à jour au ministre.

PART III GRANTS TO SCHOOL AUTHORITIES

GRANTS TO ISOLATE BOARDS

55. (1) For the purposes of this section, the approved expenditure of an isolate board is the expenditure that is acceptable to the Minister as shown on the forms provided by the Ministry to the isolate board for the purpose of calculating its 1999-2000 legislative grant.

(2) In making determinations for the purposes of subsection (1), the Minister shall apply the funding formula on which the provisions of this Regulation relating to grants to district school boards is based, with such adaptations as the Minister considers advisable to take account of characteristics particular to school authorities.

(3) For the purposes of this section, the 1999-2000 tax revenue of an isolate board shall be determined as follows:

1. Add,

- i. 38 per cent of the total of the amounts distributed to the board in respect of the 1999 calendar year under subsections 237 (12) and 238 (2), section 239, subsection 240 (5), sections 250 and 251 and subsections 257.8 (2) and 257.9 (1) of the Act, under sections 447.20 and 447.52 of the *Municipal Act* and under section 10 of Ontario Regulation 509/98,
- ii. 62 per cent of the total of the amounts distributed to the board in respect of the 2000 calendar year under subsections 237 (12) and 238 (2), section 239, subsection 240 (5), sections 250 and 251 and subsections 257.8 (2) and 257.9 (1) of the Act, under sections 447.20 and 447.52 of the *Municipal Act* and under section 10 of Ontario Regulation 509/98,
- iii. 38 per cent of the amounts, if any, received by the board in respect of the 1999 calendar year from a municipality under subsection 445 (4) of the *Municipal Act*,
- iv. 62 per cent of the amounts, if any, received by the board in respect of the 2000 calendar year from a municipality under subsection 445 (4) of the *Municipal Act*,
- v. the total of the taxes received by the board in respect of the 1999 calendar year under section 35 of the *Assessment Act*,
- vi. 38 per cent of the payments in lieu of taxes distributed to the board in respect of the 1999 calendar year under subsection 371.1 (1) of the *Municipal Act*,
- vii. 62 per cent of the payments in lieu of taxes distributed to the board in respect of the 2000 calendar year under subsection 371.1 (1) of the *Municipal Act*,
- viii. 38 per cent of the amounts, if any, received by the board in respect of the 1999 calendar year under the *Municipal Grants Act* (Canada) or under any Act of Canada that permits a payment to be made by a government or a government agency in lieu of taxes on real property,
- ix. 62 per cent of the amounts, if any, received by the board in respect of the 2000 calendar year under the *Municipal Grants Act* (Canada) or under any Act of Canada that permits a payment to be made by a government or a government agency in lieu of taxes on real property,
- x. the total of the amounts, if any, distributed to the board in the 1999-2000 fiscal year under subsection 2 (3) of Ontario Regulation 365/98, and

PARTIE III SUBVENTIONS EN FAVEUR DES ADMINISTRATIONS SCOLAIRES

SUBVENTIONS EN FAVEUR DES CONSEILS ISOLÉS

55. (1) Pour l'application du présent article, constitue la dépense approuvée d'un conseil isolé la dépense que le ministre juge acceptable telle qu'elle figure dans les formules que le ministère fournit au conseil isolé aux fins du calcul de sa subvention générale de 1999-2000.

(2) Lorsqu'il fait des calculs pour l'application du paragraphe (1), le ministre applique, avec les adaptations qu'il estime indiquées pour tenir compte des caractéristiques propres aux administrations scolaires, la formule de financement sur laquelle se fondent les dispositions du présent règlement qui se rapportent aux subventions en faveur des conseils scolaires de district.

(3) Pour l'application du présent article, les recettes fiscales de 1999-2000 du conseil isolé sont calculées de la manière suivante :

1. Additionner ce qui suit :

- i. 38 pour cent du total des sommes remises au conseil à l'égard de l'année civile 1999 aux termes des paragraphes 237 (12) et 238 (2), de l'article 239, du paragraphe 240 (5), des articles 250 et 251 et des paragraphes 257.8 (2) et 257.9 (1) de la Loi, des articles 447.20 et 447.52 de la *Loi sur les municipalités* et de l'article 10 du Règlement de l'Ontario 509/98,
- ii. 62 pour cent du total des sommes remises au conseil à l'égard de l'année civile 2000 aux termes des paragraphes 237 (12) et 238 (2), de l'article 239, du paragraphe 240 (5), des articles 250 et 251 et des paragraphes 257.8 (2) et 257.9 (1) de la Loi, des articles 447.20 et 447.52 de la *Loi sur les municipalités* et de l'article 10 du Règlement de l'Ontario 509/98,
- iii. 38 pour cent des sommes éventuelles que reçoit le conseil à l'égard de l'année civile 1999 d'une municipalité aux termes du paragraphe 445 (4) de la *Loi sur les municipalités*,
- iv. 62 pour cent des sommes éventuelles que reçoit le conseil à l'égard de l'année civile 2000 d'une municipalité aux termes du paragraphe 445 (4) de la *Loi sur les municipalités*,
- v. le total des impôts que reçoit le conseil à l'égard de l'année civile 1999 aux termes de l'article 35 de la *Loi sur l'évaluation foncière*,
- vi. 38 pour cent des paiements tenant lieu d'impôts remis au conseil à l'égard de l'année civile 1999 aux termes du paragraphe 371.1 (1) de la *Loi sur les municipalités*,
- vii. 62 pour cent des paiements tenant lieu d'impôts remis au conseil à l'égard de l'année civile 2000 aux termes du paragraphe 371.1 (1) de la *Loi sur les municipalités*,
- viii. 38 pour cent des sommes éventuelles que reçoit le conseil à l'égard de l'année civile 1999 en vertu de la *Loi sur les subventions aux municipalités* (Canada) ou en vertu de toute loi du Canada qui autorise un gouvernement ou un organisme gouvernemental à effectuer un paiement tenant lieu d'impôts sur des biens immeubles,
- ix. 62 pour cent des sommes éventuelles que reçoit le conseil à l'égard de l'année civile 2000 en vertu de la *Loi sur les subventions aux municipalités* (Canada) ou en vertu de toute loi du Canada qui autorise un gouvernement ou un organisme gouvernemental à effectuer un paiement tenant lieu d'impôts sur des biens immeubles,
- x. le total des sommes éventuelles qui ont été remises au conseil au cours de l'exercice 1999-2000 aux termes du paragraphe 2 (3) du Règlement de l'Ontario 365/98,

- xi. the total of the amounts, if any, paid to the board in the 1999-2000 fiscal year under clause 3 (1) (a) of Ontario Regulation 366/98.
 - 2. Deduct the cost incurred in the 1999-2000 fiscal year by the board under section 257.7 of the Act in collecting taxes for school purposes in territory without municipal organization, to a maximum of 2 per cent of the sum of,
 - i. 38 per cent of the total amount of taxes levied by it for 1999 for school purposes in territory without municipal organization, and
 - ii. 62 per cent of the total amount of taxes levied by it for 2000 for school purposes in territory without municipal organization.
 - 3. Deduct the amounts charged to the board in the 1999 calendar year by a municipal council under section 421 of the *Municipal Act*, including amounts charged under that section as a result of private legislation.
 - 4. Deduct the total of the amounts paid as rebates by the board under section 257.2.1 of the Act in the 1999-2000 fiscal year.
 - 5. Deduct 38 per cent of the total of the amounts, if any, paid by the board in respect of the 1999 calendar year under subsections 442.1 (7) and 442.2 (8.1) of the *Municipal Act*.
 - 6. Deduct 62 per cent of the total of the amounts, if any, paid by the board in respect of the 2000 calendar year under subsections 442.1 (7) and 442.2 (8.1) of the *Municipal Act*.
- (4) Amounts, if any, paid by the Minister to the board in respect of the 1999 calendar year under section 257.11 of the Act shall be deemed to be amounts distributed to the board in respect of the 1999 calendar year under a provision of the Act referred to in subparagraph i of paragraph 1 of subsection (3).
- (5) Amounts, if any, paid by the Minister to the board in respect of the 2000 calendar year under section 257.11 of the Act shall be deemed to be amounts distributed to the board in respect of the 2000 calendar year under a provision of the Act referred to in subparagraph ii of paragraph 1 of subsection (3).
- (6) Paragraph 2 of subsection (3) shall not be interpreted to preclude including in the board's approved expenditure an amount on account of the costs incurred by the board in collecting taxes in territory without municipal organization, where those costs exceed the amount deducted under paragraph 2 of subsection (3).
- (7) Where the approved expenditure of an isolate board exceeds its 1999-2000 tax revenue, the board shall be paid a grant equal to the excess.

GRANTS TO SECTION 68 BOARDS

56. A section 68 board shall be paid a grant in an amount determined as follows:

- 1. Take the expenditure of the board for the 1999-2000 fiscal year that is acceptable to the Minister for grant purposes, excluding,
 - i. expenditures for debt charges,
 - ii. expenditures for the purchase of capital assets,
 - iii. expenditures for the restoration of destroyed or damaged capital assets, and
 - iv. provisions for reserves for working funds and provisions for reserve funds.

- xi. le total des sommes éventuelles qui ont été versées au conseil au cours de l'exercice 1999-2000 aux termes de l'alinéa 3 (1) a) du Règlement de l'Ontario 366/98.
 - 2. Déduire les frais de perception des impôts scolaires dans un territoire non érigé en municipalité qu'engage le conseil pendant l'exercice 1999-2000 aux termes de l'article 257.7 de la Loi, jusqu'à concurrence de 2 pour cent de la somme de ce qui suit :
 - i. 38 pour cent du total des impôts scolaires qu'il a prélevés pour 1999 dans un tel territoire,
 - ii. 62 pour cent du total des impôts scolaires qu'il a prélevés pour 2000 dans un tel territoire.
 - 3. Déduire les sommes qu'un conseil municipal a exigées du conseil pendant l'année civile 1999 aux termes de l'article 421 de la *Loi sur les municipalités*, y compris les sommes exigées aux termes de cet article par suite d'une loi d'intérêt privé.
 - 4. Déduire le total des remises que le conseil accorde aux termes de l'article 257.2.1 de la Loi pendant l'exercice 1999-2000.
 - 5. Déduire 38 pour cent du total des sommes éventuelles que le conseil verse à l'égard de l'année civile 1999 aux termes des paragraphes 442.1 (7) et 442.2 (8.1) de la *Loi sur les municipalités*.
 - 6. Déduire 62 pour cent du total des sommes éventuelles que le conseil verse à l'égard de l'année civile 2000 aux termes des paragraphes 442.1 (7) et 442.2 (8.1) de la *Loi sur les municipalités*.
- (4) Les sommes éventuelles que le ministre verse au conseil à l'égard de l'année civile 1999 aux termes de l'article 257.11 de la Loi sont réputées des sommes remises au conseil à l'égard de l'année civile 1999 aux termes d'une disposition de la Loi visée à la sous-disposition i de la disposition 1 du paragraphe (3).
- (5) Les sommes éventuelles que le ministre verse au conseil à l'égard de l'année civile 2000 aux termes de l'article 257.11 de la Loi sont réputées des sommes remises au conseil à l'égard de l'année civile 2000 aux termes d'une disposition de la Loi visée à la sous-disposition ii de la disposition 1 du paragraphe (3).
- (6) La disposition 2 du paragraphe (3) ne doit pas être interprétée de façon à empêcher l'inclusion, dans les dépenses approuvées du conseil, des frais de perception des impôts dans un territoire non érigé en municipalité qu'il a engagés si ces frais sont supérieurs à la somme déduite aux termes de cette disposition.

(7) Le conseil isolé dont les dépenses approuvées sont supérieures à ses recettes fiscales de 1999-2000 reçoit une subvention égale à cet excédent.

SUBVENTIONS EN FAVEUR DES CONSEILS CRÉÉS
EN VERTU DE L'ARTICLE 68

56. Le conseil créé en vertu de l'article 68 reçoit une subvention calculée de la manière suivante :

- 1. Prendre les dépenses du conseil pour l'exercice 1999-2000 que le ministre juge acceptables aux fins des subventions, à l'exclusion de ce qui suit :
 - i. les dépenses liées au service de la dette,
 - ii. les dépenses liées à l'acquisition d'immobilisations,
 - iii. les dépenses liées à la restauration d'immobilisations détruites ou endommagées,
 - iv. les provisions pour réserves pour fonds de roulement et celles pour fonds de réserve.

2. Deduct the revenue of the board for the 1999-2000 fiscal year, not including revenue from,
 - i. legislative grants,
 - ii. an organization on whose property a school of the board is located, and
 - iii. refunds of expenditure of the kind described in subparagraph i, ii or iii of paragraph 1.

PART IV PAYMENTS TO GOVERNING AUTHORITIES

57. In this Part,

“Crown establishment” means an establishment maintained by a Department of the Government of Canada, a federal Crown company, The Royal Canadian Mounted Police or Atomic Energy of Canada Limited, on lands held by the Crown in right of Canada that are not assessable for school purposes, and includes a reserve as defined in the *Indian Act* (Canada).

58. (1) This section applies where a pupil who is not resident in a Crown establishment,

- (a) resides in a territorial district on land that is not part of a school section or separate school zone and attends an elementary school supported by local taxation in Manitoba or Quebec; or
- (b) resides in a territorial district on land that is not part of a secondary school district and attends a secondary school supported by local taxation in Manitoba or Quebec.

(2) The Minister shall pay the governing authority of the school attended by the pupil the amount agreed on between the governing authority and the Minister.

59. (1) This section applies where,

- (a) a pupil who resides in a territorial district is resident in a school section, separate school zone or a Crown establishment and attends an elementary school supported by local taxation in Manitoba or Quebec; and
- (b) the Minister is of the opinion that,
 - (i) daily transportation to the elementary school in Ontario that the pupil would otherwise attend is impracticable due to distance and terrain, and
 - (ii) the provision of board, lodging and weekly transportation is impracticable because of the age or disability of the pupil.

(2) The Minister shall pay the governing authority of the elementary school attended by the pupil the amount agreed on between the governing authority and the Minister.

60. (1) This section applies where a pupil who resides in a territorial district,

- (a) is not resident in a school section, a separate school zone or a Crown establishment; and
- (b) attends a school on a reserve that is operated by,
 - (i) the Crown in right of Canada, or

2. Déduire les recettes de l'exercice 1999-2000 du conseil, à l'exclusion des recettes provenant de ce qui suit :

- i. les subventions générales,
- ii. un organisme sur le bien duquel se trouve une école du conseil,
- iii. les remboursements de dépenses du genre visé à la sous-disposition i, ii ou iii de la disposition 1.

PARTIE IV PAIEMENTS FAITS À DES ADMINISTRATIONS RESPONSABLES

57. La définition qui suit s'applique à la présente partie.

«établissement de la Couronne» Établissement que fait fonctionner un ministère du gouvernement du Canada, une société d'État fédérale, la Gendarmerie royale du Canada ou Énergie atomique du Canada limitée sur des biens-fonds que détient la Couronne du chef du Canada et qui ne peuvent faire l'objet d'une évaluation aux fins scolaires. S'entend en outre des réserves au sens de la *Loi sur les Indiens* (Canada).

58. (1) Le présent article s'applique si l'élève qui n'est pas résident d'un établissement de la Couronne :

- a) soit réside dans un district territorial sur un bien-fonds qui ne fait pas partie d'une circonscription scolaire ni d'une zone d'écoles séparées et fréquente une école élémentaire du Manitoba ou du Québec soutenue par des impôts locaux;
- b) soit réside dans un district territorial sur un bien-fonds qui ne fait pas partie d'un district d'écoles secondaires et fréquente une école secondaire du Manitoba ou du Québec soutenue par des impôts locaux.

(2) Le ministre verse à l'administration responsable de l'école que fréquente l'élève la somme convenue d'un commun accord.

59. (1) Le présent article s'applique si les conditions suivantes sont réunies :

- a) l'élève qui réside dans un district territorial est résident d'une circonscription scolaire, d'une zone d'écoles séparées ou d'un établissement de la Couronne et fréquente une école élémentaire du Manitoba ou du Québec soutenue par des impôts locaux;
- b) le ministre est d'avis que :
 - (i) d'une part, le transport quotidien de l'élève entre sa résidence et l'école élémentaire située en Ontario qu'il fréquenterait par ailleurs est impossible en raison de la distance ou de la topographie,
 - (ii) d'autre part, la fourniture de nourriture, de logement et de transport hebdomadaire à l'élève est impossible en raison de son âge ou de son invalidité.

(2) Le ministre verse à l'administration responsable de l'école élémentaire que fréquente l'élève la somme convenue d'un commun accord.

60. (1) Le présent article s'applique si l'élève qui réside dans un district territorial réunit les conditions suivantes :

- a) il n'est pas résident d'une circonscription scolaire, ni d'une zone d'écoles séparées, ni d'un établissement de la Couronne;
- b) il fréquente une école d'une réserve qui relève :
 - (i) soit de la Couronne du chef du Canada,

(ii) a band, the council of a band or an education authority where the band, council of a band or education authority is authorized by the Crown in right of Canada to provide education for Indians.

(ii) soit d'une bande, du conseil d'une bande ou d'une commission indienne de l'éducation que la Couronne du chef du Canada autorise à dispenser l'enseignement aux Indiens.

(2) The Minister shall pay the governing authority of the school attended by the pupil the amount agreed on between the governing authority and the Minister.

(2) Le ministre verse à l'administration responsable de l'école que fréquente l'élève la somme convenue d'un commun accord.

Table/Tableau 1 ESL/ESD grant/subvention ESL/ESD		
ITEM/POINT	COLUMN/COLONNE 1	COLUMN/COLONNE 2
	Board Name/Nom du conseil	Amount/Montant \$
1.	District School Board Ontario North East	12,908
2.	Algoma District School Board	7,856
3.	Rainbow District School Board	16,897
4.	Near North District School Board	9,514
5.	Keewatin-Patricia District School Board	8,405
6.	Rainy River District School Board	3,127
7.	Lakehead District School Board	33,881
8.	Superior-Greenstone District School Board	531
9.	Bluewater District School Board	57,719
10.	Avon Maitland District School Board	83,985
11.	Greater Essex County District School Board	284,985
12.	Lambton Kent District School Board	72,464
13.	Thames Valley District School Board	515,192
14.	Toronto District School Board	6,241,876
15.	Durham District School Board	185,698
16.	Kawartha Pine Ridge District School Board	27,701
17.	Trillium Lakelands District School Board	0
18.	York Region District School Board	791,651
19.	Simcoe County District School Board	56,266
20.	Upper Grand District School Board	183,294
21.	Peel District School Board	1,417,922
22.	Halton District School Board	153,833
23.	Hamilton-Wentworth District School Board	430,021
24.	District School Board of Niagara	134,140
25.	Grand Erie District School Board	91,497
26.	Waterloo Region District School Board	567,007
27.	Ottawa-Carleton District School Board	665,330
28.	Upper Canada District School Board	21,721
29.	Limestone District School Board	51,587
30.	Renfrew County District School Board	10,339
31.	Hastings and Prince Edward District School Board	25,470
32.	Northeastern Catholic District School Board	3,607
33.	Nipissing-Parry Sound Catholic District School Board	3,744
34.	Huron-Superior Catholic District School Board	6,603
35.	Sudbury Catholic District School Board	7,911
36.	Northwest Catholic District School Board	1,863
37.	Kenora Catholic District School Board	160
38.	Thunder Bay Catholic District School Board	17,252
39.	Superior North Catholic District School Board	0

Table/Tableau 1 ESL/ESD grant/subvention ESL/ESD		
ITEM/POINT	COLUMN/COLONNE 1	COLUMN/COLONNE 2
	Board Name/Nom du conseil	Amount/Montant \$
40.	Bruce-Grey Catholic District School Board	4,143
41.	Huron Perth Catholic District School Board	10,223
42.	Windsor-Essex Catholic District School Board	194,873
43.	English-language Separate District School Board No. 38	156,985
44.	St. Clair Catholic District School Board	25,820
45.	Toronto Catholic District School Board	2,648,729
46.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	11,994
47.	York Catholic District School Board	447,149
48.	Dufferin-Peel Catholic District School Board	1,118,966
49.	Simcoe Muskoka Catholic District School Board	30,307
50.	Durham Catholic District School Board	85,767
51.	Halton Catholic District School Board	107,220
52.	Hamilton-Wentworth Catholic District School Board	241,105
53.	Wellington Catholic District School Board	36,169
54.	Waterloo Catholic District School Board	228,853
55.	Niagara Catholic District School Board	65,110
56.	Brant/Haldimand-Norfolk Catholic District School Board	29,548
57.	Catholic District School Board of Eastern Ontario	11,571
58.	Ottawa-Carleton Catholic District School Board	311,992
59.	Renfrew County Catholic District School Board	4,204
60.	Algonquin and Lakeshore Catholic District School Board	25,315

Table/Tableau 2 Assimilation Factors for ALF Funding/ Facteurs d'assimilation pour le financement des programmes d'ALF			
ITEM/POINT	COLUMN/COLONNE 1	COLUMN/COLONNE 2	COLUMN/COLONNE 3
	French Language Board/ Conseil de langue française	English Language Coterminous Board/ Conseil de langue anglaise coïncident	Assimilation Factor/ Facteur d'assimilation
1.	Conseil scolaire de district du Nord-Est de l'Ontario	District School Board Ontario North East	1.0
2.	Conseil scolaire de district du Nord-Est de l'Ontario	Near North District School Board	1.0
3.	Conseil scolaire de district du Nord-Est de l'Ontario	Trillium Lakelands District School Board	1.5
4.	Conseil scolaire de district du Grand Nord de l'Ontario	Algoma District School Board	1.5
5.	Conseil scolaire de district du Grand Nord de l'Ontario	Rainbow District School Board	1.0
6.	Conseil scolaire de district du Grand Nord de l'Ontario	Keewatin-Patricia District School Board	1.5
7.	Conseil scolaire de district du Grand Nord de l'Ontario	Rainy River District School Board	1.5
8.	Conseil scolaire de district du Grand Nord de l'Ontario	Lakehead District School Board	1.5
9.	Conseil scolaire de district du Grand Nord de l'Ontario	Superior-Greenstone District School Board	1.5
10.	Conseil scolaire de district du Centre Sud-Ouest	Bluewater District School Board	1.5
11.	Conseil scolaire de district du Centre Sud-Ouest	Avon Maitland District School Board	1.5
12.	Conseil scolaire de district du Centre Sud-Ouest	Greater Essex County District School Board	1.5
13.	Conseil scolaire de district du Centre Sud-Ouest	Lambton Kent District School Board	1.5
14.	Conseil scolaire de district du Centre Sud-Ouest	Thames Valley District School Board	1.5

Table/Tableau 2
Assimilation Factors for ALF Funding/
Facteurs d'assimilation pour le financement des programmes d'ALF

ITEM/POINT	COLUMN/COLONNE 1	COLUMN/COLONNE 2	COLUMN/COLONNE 3
	French Language Board/ Conseil de langue française	English Language Coterminous Board/ Conseil de langue anglaise coïncident	Assimilation Factor/ Facteur d'assimilation
15.	Conseil scolaire de district du Centre Sud-Ouest	Toronto District School Board	1.5
16.	Conseil scolaire de district du Centre Sud-Ouest	Durham District School Board	1.5
17.	Conseil scolaire de district du Centre Sud-Ouest	Kawartha Pine Ridge District School Board	1.5
18.	Conseil scolaire de district du Centre Sud-Ouest	Trillium Lakelands District School Board	1.5
19.	Conseil scolaire de district du Centre Sud-Ouest	York Region District School Board	1.5
20.	Conseil scolaire de district du Centre Sud-Ouest	Simcoe County District School Board	1.5
21.	Conseil scolaire de district du Centre Sud-Ouest	Upper Grand District School Board	1.5
22.	Conseil scolaire de district du Centre Sud-Ouest	Peel District School Board	1.5
23.	Conseil scolaire de district du Centre Sud-Ouest	Halton District School Board	1.5
24.	Conseil scolaire de district du Centre Sud-Ouest	Hamilton-Wentworth District School Board	1.5
25.	Conseil scolaire de district du Centre Sud-Ouest	District School Board of Niagara	1.5
26.	Conseil scolaire de district du Centre Sud-Ouest	Grand Erie District School Board	1.5
27.	Conseil scolaire de district du Centre Sud-Ouest	Waterloo Region District School Board	1.5
28.	Conseil de district des écoles publiques de langue française n° 59	Ottawa-Carleton District School Board	1.0
29.	Conseil de district des écoles publiques de langue française n° 59	Upper Canada District School Board	1.0
30.	Conseil de district des écoles publiques de langue française n° 59	Limestone District School Board	1.5
31.	Conseil de district des écoles publiques de langue française n° 59	Renfrew County District School Board	1.5
32.	Conseil de district des écoles publiques de langue française n° 59	Hastings and Prince Edward District School Board	1.5
33.	Conseil scolaire de district catholique des Grandes Rivières	Northeastern Catholic District School Board	1.0
34.	Conseil scolaire de district catholique Franco-Nord	Nipissing-Parry Sound Catholic District School Board	1.0
35.	Conseil scolaire de district catholique Centre-Sud	Simcoe Muskoka Catholic District School Board	1.5
36.	Conseil scolaire de district catholique du Nouvel-Ontario	Sudbury Catholic District School Board	1.0
37.	Conseil scolaire de district catholique du Nouvel-Ontario	Huron-Superior Catholic District School Board	1.5
38.	Conseil scolaire de district catholique des Aurores boréales	Northwest Catholic District School Board	1.5
39.	Conseil scolaire de district catholique des Aurores boréales	Kenora Catholic District School Board	1.5
40.	Conseil scolaire de district catholique des Aurores boréales	Thunder Bay Catholic District School Board	1.5
41.	Conseil scolaire de district catholique des Aurores boréales	Superior North Catholic District School Board	1.5
42.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	Bruce-Grey Catholic District School Board	1.5
43.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	Huron Perth Catholic District School Board	1.5
44.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	Windsor-Essex Catholic District School Board	1.5
45.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	St. Clair Catholic District School Board	1.5
46.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	English-language Separate District School Board No. 38	1.5
47.	Conseil scolaire de district catholique Centre-Sud	Toronto Catholic District School Board	1.5

Table/Tableau 2 Assimilation Factors for ALF Funding/ Facteurs d'assimilation pour le financement des programmes d'ALF			
ITEM/POINT	COLUMN/COLONNE 1	COLUMN/COLONNE 2	COLUMN/COLONNE 3
	French Language Board/ Conseil de langue française	English Language Coterminous Board/ Conseil de langue anglaise coïncident	Assimilation Factor/ Facteur d'assimilation
48.	Conseil scolaire de district catholique Centre-Sud	Durham Catholic District School Board	1.5
49.	Conseil scolaire de district catholique Centre-Sud	Peterborough Victoria Northumberland and Clarington Catholic District School Board	1.5
50.	Conseil scolaire de district catholique Centre-Sud	York Catholic District School Board	1.5
51.	Conseil scolaire de district catholique Centre-Sud	Wellington Catholic District School Board	1.5
52.	Conseil scolaire de district catholique Centre-Sud	Dufferin-Peel Catholic District School Board	1.5
53.	Conseil scolaire de district catholique Centre-Sud	Halton Catholic District School Board	1.5
54.	Conseil scolaire de district catholique Centre-Sud	Hamilton-Wentworth Catholic District School Board	1.5
55.	Conseil scolaire de district catholique Centre-Sud	Niagara Catholic District School Board	1.5
56.	Conseil scolaire de district catholique Centre-Sud	Brant/Haldimand-Norfolk Catholic District School Board	1.5
57.	Conseil scolaire de district catholique Centre-Sud	Waterloo Catholic District School Board	1.5
58.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	Ottawa-Carleton Catholic District School Board	1.5
59.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	Catholic District School Board of Eastern Ontario	1.0
60.	Conseil scolaire de district catholique de l'Est ontar- ien	Catholic District School Board of Eastern Ontario	1.0
61.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	Algonquin and Lakeshore Catholic District School Board	1.5
62.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	Renfrew County Catholic District School Board	1.5

Table/Tableau 3 Distance and Urban Factors for Remote and Rural Allocations/ Facteur urbain et facteur d'éloignement pour l'élément conseils ruraux et éloignés			
ITEM/POINT	COLUMN/COLONNE 1	COLUMN/COLONNE 2	COLUMN/COLONNE 3
	Board Name/ Nom du conseil	Distance/ Distance	Urban Factor/ Facteur urbain
1.	District School Board Ontario North East	680 km	0.946
2.	Algoma District School Board	790 km	0.809
3.	Rainbow District School Board	455 km	0.821
4.	Near North District School Board	332 km	0.913
5.	Keewatin-Patricia District School Board	1801 km	1.000
6.	Rainy River District School Board	1630 km	1.000
7.	Lakehead District School Board	1375 km	0.549
8.	Superior-Greenstone District School Board	1440 km	1.000
9.	Bluewater District School Board	177 km	1.000
10.	Avon Maitland District School Board	< 151 km	1.000
11.	Greater Essex County District School Board	< 151 km	1.000
12.	Lambton Kent District School Board	< 151 km	1.000
13.	Thames Valley District School Board	< 151 km	1.000
14.	Toronto District School Board	< 151 km	1.000
15.	Durham District School Board	< 151 km	1.000
16.	Kawartha Pine Ridge District School Board	161 km	0.942
17.	Trillium Lakelands District School Board	253 km	1.000
18.	York Region District School Board	< 151 km	1.000
19.	Simcoe County District School Board	< 151 km	1.000

Table/Tableau 3
Distance and Urban Factors for Remote and Rural Allocations/
Facteur urbain et facteur d'éloignement pour l'élément conseils ruraux et éloignés

ITEM/POINT	COLUMN/COLONNE 1	COLUMN/COLONNE 2	COLUMN/COLONNE 3
	Board Name/ Nom du conseil	Distance/ Distance	Urban Factor/ Facteur urbain
20.	Upper Grand District School Board	< 151 km	1.000
21.	Peel District School Board	< 151 km	1.000
22.	Halton District School Board	< 151 km	1.000
23.	Hamilton-Wentworth District School Board	< 151 km	1.000
24.	District School Board of Niagara	< 151 km	1.000
25.	Grand Erie District School Board	< 151 km	1.000
26.	Waterloo Region District School Board	< 151 km	1.000
27.	Ottawa-Carleton District School Board	< 151 km	1.000
28.	Upper Canada District School Board	< 151 km	1.000
29.	Limestone District School Board	235 km	0.717
30.	Renfrew County District School Board	< 151 km	1.000
31.	Hastings and Prince Edward District School Board	251 km	0.971
32.	Northeastern Catholic District School Board	680 km	0.946
33.	Nipissing-Parry Sound Catholic District School Board	332 km	0.913
34.	Huron-Superior Catholic District School Board	790 km	0.777
35.	Sudbury Catholic District School Board	390 km	0.780
36.	Northwest Catholic District School Board	1715 km	1.000
37.	Kenora Catholic District School Board	1855 km	1.000
38.	Thunder Bay Catholic District School Board	1375 km	0.501
39.	Superior North Catholic District School Board	1440 km	1.000
40.	Bruce-Grey Catholic District School Board	177 km	1.000
41.	Huron Perth Catholic District School Board	< 151 km	1.000
42.	Windsor-Essex Catholic District School Board	< 151 km	1.000
43.	English-language Separate District School Board No. 38	< 151 km	1.000
44.	St. Clair Catholic District School Board	< 151 km	1.000
45.	Toronto Catholic District School Board	< 151 km	1.000
46.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	161 km	0.942
47.	York Catholic District School Board	< 151 km	1.000
48.	Dufferin-Peel Catholic District School Board	< 151 km	1.000
49.	Simcoe Muskoka Catholic District School Board	< 151 km	1.000
50.	Durham Catholic District School Board	< 151 km	1.000
51.	Halton Catholic District School Board	< 151 km	1.000
52.	Hamilton-Wentworth Catholic District School Board	< 151 km	1.000
53.	Wellington Catholic District School Board	< 151 km	1.000
54.	Waterloo Catholic District School Board	< 151 km	1.000
55.	Niagara Catholic District School Board	< 151 km	1.000
56.	Brant/Haldimand-Norfolk Catholic District School Board	< 151 km	1.000
57.	Catholic District School Board of Eastern Ontario	< 151 km	1.000
58.	Ottawa-Carleton Catholic District School Board	< 151 km	1.000
59.	Renfrew County Catholic District School Board	< 151 km	1.000
60.	Algonquin and Lakeshore Catholic District School Board	277 km	0.986
61.	Conseil scolaire de district du Nord-Est de l'Ontario	634 km	0.939
62.	Conseil scolaire de district du Grand Nord de l'Ontario	1191 km	0.8620
63.	Conseil scolaire de district du Centre Sud-Ouest	< 151 km	1.000
64.	Conseil de district des écoles publiques de langue française n° 59	< 151 km	1.000

Table/Tableau 3
Distance and Urban Factors for Remote and Rural Allocations/
Facteur urbain et facteur d'éloignement pour l'élément conseils ruraux et éloignés

ITEM/POINT	COLUMN/COLONNE 1	COLUMN/COLONNE 2	COLUMN/COLONNE 3
	Board Name/ Nom du conseil	Distance/ Distance	Urban Factor/ Facteur urbain
65.	Conseil scolaire de district catholique des Grandes Rivières	680 km	0.952
66.	Conseil scolaire de district catholique Franco-Nord	332 km	0.933
67.	Conseil scolaire de district catholique du Nouvel-Ontario	790 km	0.879
68.	Conseil scolaire de district catholique des Aurores boréales	1745 km	0.727
69.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	< 151 km	1.000
70.	Conseil scolaire de district catholique Centre-Sud	< 151 km	1.000
71.	Conseil scolaire de district catholique de l'Est ontarien	< 151 km	1.000
72.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	< 151 km	1.000

Table/Tableau 4
Learning Opportunities/
Programmes d'aide à l'apprentissage

ITEM/POINT	COLUMN/COLONNE 1	COLUMN/COLONNE 2
	Name of Board/Nom du conseil	Allocation for Learning Opportunities/ Élément programmes d'aide à l'apprentissage \$
1.	District School Board Ontario North East	1,474,673
2.	Algoma District School Board	2,240,042
3.	Rainbow District School Board	1,786,217
4.	Near North District School Board	1,838,599
5.	Keewatin-Patricia District School Board	855,519
6.	Rainy River District School Board	472,125
7.	Lakehead District School Board	1,904,168
8.	Superior-Greenstone District School Board	530,177
9.	Bluewater District School Board	743,017
10.	Avon Maitland District School Board	906,166
11.	Greater Essex County District School Board	3,688,449
12.	Lambton Kent District School Board	1,190,574
13.	Thames Valley District School Board	6,118,828
14.	Toronto District School Board	53,334,398
15.	Durham District School Board	1,959,159
16.	Kawartha Pine Ridge District School Board	1,421,917
17.	Trillium Lakelands District School Board	339,581
18.	York Region District School Board	2,932,609
19.	Simcoe County District School Board	1,091,421
20.	Upper Grand District School Board	918,448
21.	Peel District School Board	5,949,939
22.	Halton District School Board	562,368
23.	Hamilton-Wentworth District School Board	6,740,451
24.	District School Board of Niagara	3,161,013
25.	Grand Erie District School Board	2,327,887
26.	Waterloo Region District School Board	3,638,569
27.	Ottawa-Carleton District School Board	6,623,778
28.	Upper Canada District School Board	1,112,594
29.	Limestone District School Board	1,599,350
30.	Renfrew County District School Board	632,032

Table/Tableau 4
Learning Opportunities/
Programmes d'aide à l'apprentissage

ITEM/POINT	COLUMN/COLONNE 1	COLUMN/COLONNE 2
	Name of Board/Nom du conseil	Allocation for Learning Opportunities/ Élément programmes d'aide à l'apprentissage \$
31.	Hastings and Prince Edward District School Board	1,409,881
32.	Northeastern Catholic District School Board	509,798
33.	Nipissing-Parry Sound Catholic District School Board	454,337
34.	Huron-Superior Catholic District School Board	1,164,422
35.	Sudbury Catholic District School Board	945,337
36.	Northwest Catholic District School Board	122,343
37.	Kenora Catholic District School Board	102,056
38.	Thunder Bay Catholic District School Board	957,557
39.	Superior North Catholic District School Board	168,584
40.	Bruce-Grey Catholic District School Board	152,434
41.	Huron Perth Catholic District School Board	130,780
42.	Windsor-Essex Catholic District School Board	2,679,022
43.	English-language Separate District School Board No. 38	3,211,654
44.	St. Clair Catholic District School Board	546,514
45.	Toronto Catholic District School Board	23,611,599
46.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	533,053
47.	York Catholic District School Board	1,854,829
48.	Dufferin-Peel Catholic District School Board	4,738,086
49.	Simcoe Muskoka Catholic District School Board	366,487
50.	Durham Catholic District School Board	721,480
51.	Halton Catholic District School Board	270,379
52.	Hamilton-Wentworth Catholic District School Board	3,291,086
53.	Wellington Catholic District School Board	267,678
54.	Waterloo Catholic District School Board	1,701,138
55.	Niagara Catholic District School Board	1,507,994
56.	Brant/Haldimand-Norfolk Catholic District School Board	770,868
57.	Catholic District School Board of Eastern Ontario	691,106
58.	Ottawa-Carleton Catholic District School Board	3,230,651
59.	Renfrew County Catholic District School Board	445,592
60.	Algonquin and Lakeshore Catholic District School Board	1,026,142
61.	Conseil scolaire de district du Nord-Est de l'Ontario	194,663
62.	Conseil scolaire de district du Grand Nord de l'Ontario	206,980
63.	Conseil scolaire de district du Centre Sud-Ouest	649,021
64.	Conseil de district des écoles publiques de langue française n° 59	690,903
65.	Conseil scolaire de district catholique des Grandes Rivières	1,406,429
66.	Conseil scolaire de district catholique Franco-Nord	650,200
67.	Conseil scolaire de district catholique du Nouvel-Ontario	1,362,379
68.	Conseil scolaire de district catholique des Aurores boréales	205,954
69.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	376,990
70.	Conseil scolaire de district catholique Centre-Sud	926,681
71.	Conseil scolaire de district catholique de l'Est ontarien	1,194,650
72.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	1,313,558

Table/Tableau 5
Teacher Compensation/
Rémunération des enseignants

Full years of teaching experience/ Années complètes d'expérience en enseignement	Qualification Categories/Catégories de qualification						
	D	C	B	A1/group 1 A1/groupe 1	A2/group 2 A2/groupe 2	A3/group 3 A3/groupe 3	A4/group 4 A4/groupe 4
0	0.5788	0.5788	0.5788	0.6229	0.6487	0.7081	0.7449
1	0.6127	0.6127	0.6127	0.654	0.6864	0.7502	0.7926
2	0.6332	0.6332	0.6332	0.6989	0.7318	0.7969	0.8432
3	0.6523	0.6523	0.6523	0.7416	0.7743	0.8442	0.8925
4	0.7149	0.7149	0.7149	0.7814	0.8158	0.8953	0.9443
5	0.7698	0.7698	0.7698	0.8234	0.8606	0.9435	0.9975
6	0.8225	0.8225	0.8225	0.8655	0.9042	0.9866	1.0473
7	0.8694	0.8694	0.8694	0.9073	0.9472	1.0363	1.0997
8	0.8900	0.8900	0.8900	0.9485	0.9876	1.086	1.1512
9	0.9154	0.9154	0.9154	1.0025	1.0411	1.1534	1.2026
10	0.9667	0.9667	0.9667	1.0451	1.0989	1.2136	1.2949

Table/Tableau 6
Geographic Adjustment Factors for New Pupil Places/
Facteurs de redressement géographique pour les nouvelles places

ITEM/POINT	COLUMN/COLONNE 1	COLUMN/COLONNE 2
	DISTRICT SCHOOL BOARDS/CONSEILS SCOLAIRES DE DISTRICT	Geographic Adjustment Factor/ Facteur de redressement géographique
1.	District School Board Ontario North East	1.120
2.	Algoma District School Board	1.106
3.	Rainbow District School Board	1.063
4.	Near North District School Board	1.042
5.	Keewatin-Patricia District School Board	1.144
6.	Rainy River District School Board	1.142
7.	Lakehead District School Board	1.080
8.	Superior-Greenstone District School Board	1.141
9.	Bluewater District School Board	1.007
10.	Avon Maitland District School Board	1.010
11.	Greater Essex County District School Board	1.000
12.	Lambton Kent District School Board	1.000
13.	Thames Valley District School Board	1.000
14.	Toronto District School Board	1.000
15.	Durham District School Board	1.000
16.	Kawartha Pine Ridge District School Board	1.003
17.	Trillium Lakelands District School Board	1.026
18.	York Region District School Board	1.000
19.	Simcoe County District School Board	1.000
20.	Upper Grand District School Board	1.000
21.	Peel District School Board	1.000
22.	Halton District School Board	1.000
23.	Hamilton-Wentworth District School Board	1.000
24.	District School Board of Niagara	1.000
25.	Grand Erie District School Board	1.000
26.	Waterloo Region District School Board	1.000

Table/Tableau 6 Geographic Adjustment Factors for New Pupil Places/ Facteurs de redressement géographique pour les nouvelles places		
ITEM/POINT	COLUMN/COLONNE 1	COLUMN/COLONNE 2
	DISTRICT SCHOOL BOARDS/CONSEILS SCOLAIRES DE DISTRICT	Geographic Adjustment Factor/ Facteur de redressement géographique
27.	Ottawa-Carleton District School Board	1.000
28.	Upper Canada District School Board	1.000
29.	Limestone District School Board	1.015
30.	Renfrew County District School Board	1.000
31.	Hastings and Prince Edward District School Board	1.025
32.	Northeastern Catholic District School Board	1.123
33.	Nipissing-Parry Sound Catholic District School Board	1.042
34.	Huron-Superior Catholic District School Board	1.104
35.	Sudbury Catholic District School Board	1.048
36.	Northwest Catholic District School Board	1.149
37.	Kenora Catholic District School Board	1.143
38.	Thunder Bay Catholic District School Board	1.074
39.	Superior North Catholic District School Board	1.146
40.	Bruce-Grey Catholic District School Board	1.007
41.	Huron Perth Catholic District School Board	1.011
42.	Windsor-Essex Catholic District School Board	1.000
43.	English-language Separate District School Board No. 38	1.000
44.	St. Clair Catholic District School Board	1.000
45.	Toronto Catholic District School Board	1.000
46.	Peterborough Victoria Northumberland and Clarington Catholic District School Board	1.003
47.	York Catholic District School Board	1.000
48.	Dufferin-Peel Catholic District School Board	1.000
49.	Simcoe Muskoka Catholic District School Board	1.000
50.	Durham Catholic District School Board	1.000
51.	Halton Catholic District School Board	1.000
52.	Hamilton-Wentworth Catholic District School Board	1.000
53.	Wellington Catholic District School Board	1.000
54.	Waterloo Catholic District School Board	1.000
55.	Niagara Catholic District School Board	1.000
56.	Brant/Haldimand-Norfolk Catholic District School Board	1.000
57.	Catholic District School Board of Eastern Ontario	1.000
58.	Ottawa-Carleton Catholic District School Board	1.000
59.	Renfrew County Catholic District School Board	1.000
60.	Algonquin and Lakeshore Catholic District School Board	1.032
61.	Conseil scolaire de district du Nord-Est de l'Ontario	1.110
62.	Conseil scolaire de district du Grand Nord de l'Ontario	1.116
63.	Conseil scolaire de district du Centre Sud-Ouest	1.000
64.	Conseil de district des écoles publiques de langue française n° 59	1.000
65.	Conseil scolaire de district catholique des Grandes Rivières	1.123
66.	Conseil scolaire de district catholique Franco-Nord	1.043
67.	Conseil scolaire de district catholique du Nouvel-Ontario	1.118
68.	Conseil scolaire de district catholique des Aurores boréales	1.100
69.	Conseil scolaire de district des écoles catholiques du Sud-Ouest	1.000
70.	Conseil scolaire de district catholique Centre-Sud	1.000

Table/Tableau 6 Geographic Adjustment Factors for New Pupil Places/ Facteurs de redressement géographique pour les nouvelles places		
ITEM/POINT	COLUMN/COLONNE 1	COLUMN/COLONNE 2
	DISTRICT SCHOOL BOARDS/CONSEILS SCOLAIRES DE DISTRICT	Geographic Adjustment Factor/ Facteur de redressement géographique
71.	Conseil scolaire de district catholique de l'Est ontarien	1.000
72.	Conseil scolaire de district catholique du Centre-Est de l'Ontario	1.000

Table/Tableau 7 Pupil Accommodation Grant/Subventions pour les installations destinées aux élèves Grants for New Pupil Places—Outstanding Capital Commitments/ Subvention pour les nouvelles places — Engagements d'immobilisations non réalisés			
ITEM/POINT	COLUMN/COLONNE 1	COLUMN/COLONNE 2	COLUMN/COLONNE 3
	District School Board/Conseil scolaire de district	Pupil Places—Elementary/ Places à l'élémentaire	Pupil Places—Secondary/ Places au secondaire
1.	Bluewater District School Board		111
2.	Conseil scolaire de district catholique de l'Est ontarien	41	
3.	Conseil scolaire de district catholique Centre-Sud		452
4.	Conseil scolaire de district du Centre Sud-Ouest	144	
5.	District School Board Ontario North East	281	
6.	Dufferin-Peel Catholic District School Board	274	
7.	Durham Catholic District School Board	79	
8.	Greater Essex County District School Board		122
9.	Hamilton-Wentworth Catholic District School Board	204	224
10.	Keewatin-Patricia District School Board	69	
11.	Near North District School Board	681	
12.	Ottawa-Carleton District School Board		107
13.	Peel District School Board		83
14.	Simcoe County District School Board	91	
15.	Simcoe Muskoka Catholic District School Board	274	
16.	Superior-Greenstone District School Board		80
17.	Thunder Bay Catholic District School Board	137	
18.	Toronto Catholic District School Board		25
19.	Upper Grand District School Board		188

Table/Tableau 8 Classroom Expenditure Percentages/ Pourcentages des dépenses liées aux classes		
ITEM/POINT	COLUMN/COLONNE 1	COLUMN/COLONNE 2
	Amounts/Sommes	% allocated to the classroom/ % alloué aux classes
1.	Elementary School Part of Foundation Allocations/Partie de l'élément éducation de base qui vise l'élémentaire	79.5%
2.	Secondary School Part of Foundation Allocations/Partie de l'élément éducation de base qui vise le secondaire	75.9%
3.	Elementary School Teacher Compensation/ Rémunération des enseignants de l'élémentaire	91.2%
4.	Secondary School Teacher Compensation/ Rémunération des enseignants du secondaire	84.6%
5.	Small Schools Allocations/ Élément petites écoles	50.0%
6.	Remote & Rural Allocations/ Élément conseils ruraux et éloignés	74.0%
7.	Early Learning Allocations/Élément apprentissage durant les premières années d'études	70.2%

Table/Tableau 8 Classroom Expenditure Percentages/ Pourcentages des dépenses liées aux classes		
ITEM/POINT	COLUMN/COLONNE 1	COLUMN/COLONNE 2
	Amounts/Sommes	% allocated to the classroom/ % alloué aux classes
8.	Adult Day School/Élèves adultes de jour	76.0%
9.	Native Language and French as a First or Second Language/Langue autochtone et français langue première et langue seconde	91.1%
10.	ESL/ESD/ALF/PDF	86.0%
11.	Learning Opportunities Allocations/ Élément programmes d'aide à l'apprentissage	77.3%
12.	Special Education Allocations/Élément éducation de l'enfance en difficulté	92.0%

16/99

ONTARIO REGULATION 215/99
made under the
EDUCATION ACT

Made: March 19, 1999
Approved: March 24, 1999
Filed: March 31, 1999

**CALCULATION OF FEES FOR PUPILS FOR THE
1999-2000 SCHOOL BOARD FISCAL YEAR**

INTERPRETATION

1. (1) In this Regulation,

"1999-2000 A.D.E. regulation" means Ontario Regulation 213/99;
("règlement sur l'effectif quotidien moyen de 1999-2000")

"1999-2000 grant regulation" means Ontario Regulation 214/99;
("règlement sur les subventions de 1999-2000")

"continuing education A.D.E.", for a board, means the continuing
education average daily enrolment for the board, as calculated under
section 3 of the 1999-2000 A.D.E. regulation; ("effectif quotidien
moyen des cours d'éducation permanente")

"continuing education class or course" has the same meaning as in
section 3 of the 1999-2000 A.D.E. regulation; ("classe ou cours
d'éducation permanente")

"day school A.D.E.", for a board, means the day school average daily
enrolment for the board, as calculated under section 2 of the
1999-2000 A.D.E. regulation; ("effectif quotidien moyen de jour")

"day school program" does not include continuing education or
summer school classes or courses; ("programme scolaire de jour")

"elementary school pupil" means a pupil who is enrolled in any of
junior kindergarten, kindergarten and grades one to eight; ("élève de
l'élémentaire")

"high cost program" means,

- (a) a special education program, or
- (b) any other program which both the board and the party from
whom the tuition fee is receivable agree is a high cost program
for the purposes of this Regulation; ("programme à coût élevé")

RÈGLEMENT DE L'ONTARIO 215/99
pris en application de la
LOI SUR L'ÉDUCATION

pris le 19 mars 1999
approuvé le 24 mars 1999
déposé le 31 mars 1999

**CALCUL DES DROITS EXIGIBLES À L'ÉGARD
DES ÉLÈVES POUR L'EXERCICE 1999-2000 DES
CONSEILS SCOLAIRES**

INTERPRÉTATION

1. (1) Les définitions qui suivent s'appliquent au présent règlement.

«classe ou cours d'éducation permanente» S'entend au sens de l'article
3 du règlement sur l'effectif quotidien moyen de 1999-2000. («con-
tinuing education class or course»)

«classe ou cours d'été» S'entend au sens du paragraphe 4 (1) du
règlement sur l'effectif quotidien moyen de 1999-2000. («summer
school class or course»)

«conseil créé en vertu de l'article 68» Conseil créé en vertu de l'article
68 de la Loi. («section 68 board»)

«conseil isolé» Administration scolaire, à l'exclusion d'un conseil créé
en vertu de l'article 68. («isolate board»)

«effectif quotidien moyen de jour» À l'égard d'un conseil, s'entend de
l'effectif quotidien moyen de jour du conseil calculé aux termes de
l'article 2 du règlement sur l'effectif quotidien moyen de 1999-2000.
 («day school A.D.E.»)

«effectif quotidien moyen des cours d'éducation permanente» À l'égard
d'un conseil, s'entend de l'effectif quotidien moyen des cours d'édu-
cation permanente du conseil calculé aux termes de l'article 3 du rè-
glement sur l'effectif quotidien moyen de 1999-2000. («continuing
education A.D.E.»)

«effectif quotidien moyen des cours d'été» À l'égard d'un conseil, s'en-
tend de l'effectif quotidien moyen des cours d'été du conseil calculé
aux termes de l'article 4 du règlement sur l'effectif quotidien moyen
de 1999-2000. («summer school A.D.E.»)

«élève de l'élémentaire» Élève inscrit à la maternelle, au jardin d'en-
fants ou à l'une des huit premières années d'études. («elementary
school pupil»)

“isolate board” means a school authority other than a section 68 board; (“conseil isolé”)

“P.A.C.”, for a pupil, means the pupil accommodation charge for a pupil as determined under subsections (3) and (4); (“frais de pension”)

“secondary school pupil” means a pupil who is enrolled in any of grades nine to twelve or in a course leading to an OAC credit; (“élève du secondaire”)

“section 68 board” means a board established under section 68 of the Act; (“conseil créé en vertu de l’article 68”)

“summer school A.D.E.”, for a board, means the summer school average daily enrolment for the board, as calculated under section 4 of the 1999-2000 A.D.E. regulation; (“effectif quotidien moyen des cours d’éducation permanente”)

“summer school class or course” means a summer school class or course as defined in subsection 4 (1) of the 1999-2000 A.D.E. regulation. (“classe ou cours d’été”)

(2) For the purposes of this Regulation, the day school A.D.E. of a pupil enrolled in a school operated by a board is the day school A.D.E. for the board calculated as if that pupil were the board’s only pupil.

(3) Subject to subsection (4), the pupil accommodation charge for a pupil is \$141 in the case of an elementary school pupil or \$282 in the case of a secondary school pupil.

(4) If a board has entered into an agreement under subsection 188 (3) of the Act that provides for a payment by the Crown in right of Canada to provide classroom accommodation for a specified number of pupils, the pupil accommodation charge for each pupil accommodated as a result of the agreement is zero.

(5) For the purposes of this Regulation, a pupil is a pupil of a board if he or she is a pupil of the board within the meaning of section 2 of the 1999-2000 grant regulation.

APPLICATION

2. This Regulation applies in respect of the period September 1, 1999 to August 31, 2000.

FEES PAID TO BOARDS BY CANADA OR BY AUTHORITY PROVIDING EDUCATION FOR INDIANS

3. (1) This section applies in respect of a pupil who is enrolled in a day school program in a school operated by a district school board or an isolate board if a fee in respect of the pupil is receivable by the board from,

- (a) the Crown in right of Canada; or
- (b) a band, the council of a band or an education authority where the band, council of a band or education authority is authorized by the Crown in right of Canada to provide education for Indians.

(2) The fee in respect of a pupil described in subsection (1) shall be calculated as follows:

1. Take the base amount determined for the pupil under subsection (3), (4) or (5), as the case may be.
2. Multiply the day school A.D.E. of the pupil by the sum of,

«élève du secondaire» Élève inscrit à la neuvième, dixième, onzième ou douzième année d’études ou à un cours menant à l’obtention d’un crédit des cours préuniversitaires de l’Ontario. («secondary school pupil»)

«frais de pension» À l’égard d’un élève, s’entend des frais de pension de l’élève calculés aux termes des paragraphes (3) et (4). («P.A.C.»)

«programme à coût élevé» Selon le cas :

- a) programme d’enseignement à l’enfance en difficulté;
- b) tout autre programme dont le conseil et la partie qui doit payer les droits de scolarité conviennent qu’il s’agit d’un programme à coût élevé pour l’application du présent règlement. («high cost program»)

«programme scolaire de jour» Ne s’entend pas des classes ou des cours d’éducation permanente ni des classes ou des cours d’été. («day school program»)

«règlement sur l’effectif quotidien moyen de 1999-2000» Le Règlement de l’Ontario 213/99. («1999-2000 A.D.E. regulation»)

«règlement sur les subventions de 1999-2000» Le Règlement de l’Ontario 214/99. («1999-2000 grant regulation»)

(2) Pour l’application du présent règlement, l’effectif quotidien moyen de jour d’un élève inscrit à une école qui relève d’un conseil est l’effectif quotidien moyen de jour du conseil calculé comme si cet élève était le seul élève du conseil.

(3) Sous réserve du paragraphe (4), les frais de pension sont de 141 \$ dans le cas d’un élève de l’élémentaire et de 282 \$ dans le cas d’un élève du secondaire.

(4) Si un conseil a conclu, en vertu du paragraphe 188 (3) de la Loi, une entente qui prévoit le paiement, par la Couronne du chef du Canada, d’une somme permettant la fourniture de facilités d’accueil à un nombre précis d’élèves, les frais de pension de chaque élève visé par l’entente sont nuls.

(5) Pour l’application du présent règlement, un élève est un élève d’un conseil s’il l’est au sens de l’article 2 du règlement sur les subventions de 1999-2000.

APPLICATION

2. Le présent règlement s’applique à l’égard de la période allant du 1^{er} septembre 1999 au 31 août 2000.

DROITS PAYÉS AUX CONSEILS PAR LE CANADA OU UNE ADMINISTRATION QUI DISPENSE L’ENSEIGNEMENT AUX INDIENS

3. (1) Le présent article s’applique à l’égard de l’élève inscrit à un programme scolaire de jour dans une école qui relève d’un conseil scolaire de district ou d’un conseil isolé si le conseil peut recevoir des droits à l’égard de cet élève :

- a) soit de la Couronne du chef du Canada;
- b) soit d’une bande, d’un conseil de bande ou d’une commission indienne de l’éducation que la Couronne du chef du Canada autorise à dispenser l’enseignement aux Indiens.

(2) Les droits exigibles à l’égard de l’élève visé au paragraphe (1) sont calculés de la manière suivante :

1. Prendre la somme de base calculée pour l’élève aux termes du paragraphe (3), (4) ou (5), selon le cas.
2. Multiplier l’effectif quotidien moyen de jour de l’élève par la somme de ce qui suit :

- i. the base amount determined under paragraph 1, and
- ii. the P.A.C. for that pupil.

(3) For the purposes of paragraph 1 of subsection (2), the base amount for an elementary school pupil described in subsection (1) who is enrolled in a school operated by a district school board shall be determined as follows:

1. Determine the amount calculated for the board under paragraph 2 of section 13 of the 1999-2000 grant regulation, on account of the foundation allocation for elementary school pupils.
2. Determine an amount on account of the special education allocation for elementary school pupils, as follows:
 - i. Multiply the day school A.D.E. for the board, counting only elementary school pupils of the board, by \$362.
 - ii. Calculate the part of the equipment ISA determined for the board under paragraph 2 of section 14 of the 1999-2000 grant regulation that is generated by elementary school pupils of the board.
 - iii. Calculate the part of the amount determined for the board under clause 18 (a) of the 1999-2000 grant regulation that is generated by individuals who were elementary school pupils in the 1998-99 school year. Where an adjustment has been made under section 20 of that regulation to the amount calculated for the board under section 18 of that regulation, the amount calculated for the board under this subparagraph shall be increased or decreased by the amount that the Minister considers appropriate to take account of the adjustment made under section 20 of that regulation.
 - iv. Calculate the part of the amount determined for the board under clause 18 (b) of the 1999-2000 grant regulation that is generated by elementary school pupils of the board. Where an adjustment has been made under section 20 of that regulation to the amount calculated for the board under section 18 of that regulation, the amount calculated for the board under this subparagraph shall be increased or decreased by the amount that the Minister considers appropriate to take account of the adjustment made under section 20 of that regulation.
 - v. Total the amounts obtained under subparagraphs i, ii, iii and iv.
3. In the case of an English-language district school board, determine an amount on account of the language allocation for elementary school pupils, as follows:
 - i. Take the French as a second language amount for elementary school pupils of the board, as calculated under subsection 22 (3) of the 1999-2000 grant regulation.
 - ii. Calculate the part of the ESL/ESD amount for the board that is generated by elementary school pupils of the board, as follows:
 - A. Calculate the part of the ESL/ESD amount for the board, as calculated under paragraph 5 of subsection 24 (1) of the 1999-2000 grant regulation, that is generated by elementary school pupils of the board.
 - B. Take the amount set out for the board in Table 1 of the 1999-2000 grant regulation.
 - C. Divide the amount taken under sub-subparagraph B by the day school A.D.E. for the board, counting only pupils of the board.

- i. la somme de base calculée aux termes de la disposition 1,
- ii. les frais de pension de l'élève.

(3) Pour l'application de la disposition 1 du paragraphe (2), la somme de base relative à un élève de l'élémentaire visé au paragraphe (1) qui est inscrit à une école qui relève d'un conseil scolaire de district est calculée de la manière suivante :

1. Calculer la part de l'élément éducation de base, calculée pour le conseil aux termes de la disposition 2 de l'article 13 du règlement sur les subventions de 1999-2000, qui vise les élèves de l'élémentaire.
2. Calculer la part de l'élément éducation de l'enfance en difficulté qui vise les élèves de l'élémentaire, de la manière suivante :
 - i. Multiplier l'effectif quotidien moyen de jour du conseil, en ne comptant que ses élèves de l'élémentaire, par 362 \$.
 - ii. Calculer la part de l'AAS liée au matériel, calculée pour le conseil aux termes de la disposition 2 de l'article 14 du règlement sur les subventions de 1999-2000, qui vise les élèves de l'élémentaire du conseil.
 - iii. Calculer la part de la somme calculée pour le conseil aux termes de l'alinéa 18 a) du règlement sur les droits de 1999-2000 qui vise les personnes qui étaient des élèves de l'élémentaire pendant l'année scolaire 1998-1999. Si la somme calculée pour le conseil aux termes de l'article 18 de ce règlement a été redressée aux termes de l'article 20 du même règlement, la somme calculée pour le conseil aux termes de la présente sous-disposition est augmentée ou réduite de la somme que le ministre estime indiquée pour prendre en compte ce redressement.
 - iv. Calculer la part de la somme calculée pour le conseil aux termes de l'alinéa 18 b) du règlement sur les droits de 1999-2000 qui vise les élèves de l'élémentaire du conseil. Si la somme calculée pour le conseil aux termes de l'article 18 de ce règlement a été redressée aux termes de l'article 20 du même règlement, la somme calculée pour le conseil aux termes de la présente sous-disposition est augmentée ou réduite de la somme que le ministre estime indiquée pour prendre en compte ce redressement.
 - v. Additionner les sommes obtenues aux termes des sous-dispositions i, ii, iii et iv.
3. Dans le cas d'un conseil scolaire de district de langue anglaise, calculer la part de l'élément enseignement des langues qui vise les élèves de l'élémentaire, de la manière suivante :
 - i. Prendre la somme liée aux programmes de français langue seconde pour les élèves de l'élémentaire du conseil, calculée aux termes du paragraphe 22 (3) du règlement sur les subventions de 1999-2000.
 - ii. Calculer la part de la somme liée aux programmes d'ESL/ESD pour le conseil qui vise ses élèves de l'élémentaire, de la manière suivante :
 - A. Calculer la part de la somme liée aux programmes d'ESL/ESD pour le conseil, calculée aux termes de la disposition 5 du paragraphe 24 (1) du règlement sur les subventions de 1999-2000, qui vise les élèves de l'élémentaire du conseil.
 - B. Prendre la somme fixée pour le conseil au tableau 1 du règlement sur les subventions de 1999-2000.
 - C. Diviser la somme prise aux termes de la sous-sous-disposition B par l'effectif quotidien moyen de jour du conseil calculé en ne comptant que ses élèves.

- D. Multiply the result obtained under sub-subparagraph C by the day school A.D.E. for the board, counting only elementary school pupils of the board.
- E. Add the amounts calculated under sub-subparagraphs A and D.
- iii. Add the amount taken under subparagraph i and the amount calculated under sub-subparagraph E of subparagraph ii.
4. In the case of a French-language district school board, determine an amount on account of the language allocation for elementary school pupils, as follows:
- Take the amount determined for the board under paragraph 1 of subsection 26 (1) of the 1999-2000 grant regulation.
 - Divide the total of the amounts determined for the board under paragraph 7 of subsection 28 (4) of the 1999-2000 grant regulation by the total number of instructional units determined for the board under paragraph 3 of subsection 28 (4) of that Regulation. Multiply the result by the total number of elementary instructional units determined for the board under paragraph 1 of subsection 28 (4) of that Regulation.
 - Calculate the part of the PDF funding level for the board, as calculated under subsection 28 (11) of the 1999-2000 grant regulation, that is generated by elementary school pupils of the board.
 - Total the amount taken under subparagraph i, the product obtained under subparagraph ii and the amount calculated under subparagraph iii.
5. Determine the amount calculated for the board under paragraph 4 of subsection 29 (11) of the 1999-2000 grant regulation, on account of the small schools allocation for elementary school pupils.
6. Determine an amount on account of the remote and rural allocation for elementary school pupils, as follows:
- Take the amount determined for the board under paragraph 5 of section 30 of the 1999-2000 grant regulation.
 - Divide the amount determined for the board under subparagraph i by the day school A.D.E. for the board, counting only pupils of the board.
 - Multiply the amount determined under subparagraph ii by the day school A.D.E. for the board, counting only elementary school pupils of the board.
7. Determine an amount on account of the learning opportunities allocation for elementary school pupils, as follows:
- Take the amount determined for the board under section 31 of the 1999-2000 grant regulation.
 - Divide the amount determined for the board under subparagraph i by the day school A.D.E. for the board, counting only pupils of the board.
 - Multiply the amount determined under subparagraph ii by the day school A.D.E. for the board, counting only elementary school pupils of the board.
- D. Multiplier le résultat obtenu aux termes de la sous-sous-disposition C par l'effectif quotidien moyen de jour du conseil calculé en ne comptant que ses élèves de l'élémentaire.
- E. Additionner les sommes calculées aux termes des sous-sous-dispositions A et D.
- iii. Additionner la somme prise aux termes de la sous-disposition i et la somme calculée aux termes de la sous-sous-disposition E de la sous-disposition ii.
4. Dans le cas d'un conseil scolaire de district de langue française, calculer la part de l'élément enseignement des langues qui vise les élèves de l'élémentaire, de la manière suivante :
- Prendre la somme calculée pour le conseil aux termes de la disposition 1 du paragraphe 26 (1) du règlement sur les subventions de 1999-2000.
 - Diviser le total des sommes calculées pour le conseil aux termes de la disposition 7 du paragraphe 28 (4) du règlement sur les subventions de 1999-2000 par le nombre total de modules scolaires calculé pour le conseil aux termes de la disposition 3 de ce paragraphe. Multiplier le résultat par le nombre total de modules scolaires de l'élémentaire calculé pour le conseil aux termes de la disposition 1 du même paragraphe.
 - Calculer la part du niveau de financement des programmes de PDF pour le conseil, calculée aux termes du paragraphe 28 (11) du règlement sur les subventions de 1999-2000, qui vise les élèves de l'élémentaire du conseil.
 - Additionner la somme prise aux termes de la sous-disposition i, le produit obtenu aux termes de la sous-disposition ii et la somme calculée aux termes de la sous-disposition iii.
5. Calculer la part de l'élément petites écoles, calculée pour le conseil aux termes de la disposition 4 du paragraphe 29 (11) du règlement sur les subventions de 1999-2000, qui vise les élèves de l'élémentaire.
6. Calculer la part de l'élément conseils ruraux et éloignés qui vise les élèves de l'élémentaire, de la manière suivante :
- Prendre la somme calculée pour le conseil aux termes de la disposition 5 de l'article 30 du règlement sur les subventions de 1999-2000.
 - Diviser la somme calculée pour le conseil aux termes de la sous-disposition i par l'effectif quotidien moyen de jour du conseil calculé en ne comptant que ses élèves.
 - Multiplier la somme calculée aux termes de la sous-disposition ii par l'effectif quotidien moyen de jour du conseil calculé en ne comptant que ses élèves de l'élémentaire.
7. Calculer la part de l'élément programmes d'aide à l'apprentissage qui vise les élèves de l'élémentaire, de la manière suivante :
- Prendre la somme calculée pour le conseil aux termes de l'article 31 du règlement sur les subventions de 1999-2000.
 - Diviser la somme calculée pour le conseil aux termes de la sous-disposition i par l'effectif quotidien moyen de jour du conseil calculé en ne comptant que ses élèves.
 - Multiplier la somme calculée aux termes de la sous-disposition ii par l'effectif quotidien moyen de jour du conseil calculé en ne comptant que ses élèves de l'élémentaire.

8. Determine the amount calculated for the board under paragraph 7 of subsection 34 (11) of the 1999-2000 grant regulation, on account of the teacher compensation allocation for elementary school pupils.
9. Determine the amount calculated for the board under paragraph 2 of subsection 35 (2) or paragraph 5 of subsection 35 (3) of the 1999-2000 grant regulation, as the case may be, on account of the early learning allocation.
10. Determine an amount on account of the administration and governance allocation for elementary school pupils, as follows:
 - i. Take the amount determined for the board under paragraph 4 of subsection 37 (1) of the 1999-2000 grant regulation.
 - ii. Divide the amount determined for the board under subparagraph i by the day school A.D.E. for the board, counting only pupils of the board.
 - iii. Multiply the amount determined under subparagraph ii by the day school A.D.E. for the board, counting only elementary school pupils of the board.
11. Determine an amount on account of the school operations part of the pupil accommodation allocation for elementary school pupils, by multiplying the elementary school area requirement determined for the board under paragraph 2 of subsection 38 (3) of the 1999-2000 grant regulation or, where a supplementary elementary school area factor is approved for the board under subsection 38 (4) of that Regulation, the adjusted elementary school area requirement determined for the board under paragraph 3 of subsection 38 (3) of that Regulation, by the benchmark operating cost of \$55.97.
12. Determine the amount calculated for the board under paragraph 16 of subsection 38 (3) of the 1999-2000 grant regulation, on account of the top-up amount for elementary school operations.
13. Determine a stable funding guarantee amount for elementary school pupils as follows:
 - i. Take the amount determined for the board under section 48 of the 1999-2000 grant regulation.
 - ii. Divide the amount determined for the board under subparagraph i by the day school A.D.E. for the board, counting only pupils of the board.
 - iii. Multiply the amount determined under subparagraph ii by the day school A.D.E. for the board, counting only elementary school pupils of the board.
14. Total the amounts determined for the board under paragraphs 1 to 13.
15. Divide the total obtained under paragraph 14 by the day school A.D.E. for the board, counting only elementary school pupils of the board.
16. Where an amount calculated in accordance with section 46 of the 1999-2000 grant regulation is subtracted from the total determined for the board under paragraph 3 of section 11 of that Regulation, subtract an amount calculated as follows from the amount obtained under paragraph 15:
 - i. Take the amount calculated for the board under subsection 46 (2) of the 1999-2000 grant regulation.
 - ii. Divide the amount referred to in subparagraph i by the day school A.D.E. for the board, counting only pupils of the board.
8. Calculer la part de l'élément rémunération des enseignants, calculée pour le conseil aux termes de la disposition 7 du paragraphe 34 (11) du règlement sur les subventions de 1999-2000, qui vise les élèves de l'élémentaire.
9. Calculer la part de l'élément apprentissage durant les premières années d'études, calculée pour le conseil aux termes de la disposition 2 du paragraphe 35 (2) ou de la disposition 5 du paragraphe 35 (3), selon le cas, du règlement sur les subventions de 1999-2000.
10. Calculer la part de l'élément administration et gestion qui vise les élèves de l'élémentaire, de la manière suivante :
 - i. Prendre la somme calculée pour le conseil aux termes de la disposition 4 du paragraphe 37 (1) du règlement sur les subventions de 1999-2000.
 - ii. Diviser la somme calculée pour le conseil aux termes de la sous-disposition i par l'effectif quotidien moyen de jour du conseil calculé en ne comptant que ses élèves.
 - iii. Multiplier la somme calculée aux termes de la sous-disposition ii par l'effectif quotidien moyen de jour du conseil calculé en ne comptant que ses élèves de l'élémentaire.
11. Calculer la part de la portion fonctionnement des écoles de l'élément installations d'accueil pour les élèves qui vise les élèves de l'élémentaire, en multipliant par le coût repère de fonctionnement de 55,97 \$ la superficie requise pour les écoles élémentaires du conseil calculée aux termes de la disposition 2 du paragraphe 38 (3) du règlement sur les subventions de 1999-2000 ou, si un facteur relatif à la superficie supplémentaire des écoles élémentaires est approuvé pour le conseil aux termes du paragraphe 38 (4) de ce règlement, la superficie redressée des écoles élémentaires requise pour le conseil calculée aux termes de la disposition 3 du paragraphe 38 (3) du même règlement.
12. Calculer la somme complémentaire liée au fonctionnement des écoles élémentaires calculée pour le conseil aux termes de la disposition 16 du paragraphe 38 (3) du règlement sur les subventions de 1999-2000.
13. Calculer la somme liée au financement stable garanti qui vise les élèves de l'élémentaire, de la manière suivante :
 - i. Prendre la somme calculée pour le conseil aux termes de l'article 48 du règlement sur les subventions de 1999-2000.
 - ii. Diviser la somme calculée pour le conseil aux termes de la sous-disposition i par l'effectif quotidien moyen de jour du conseil calculé en ne comptant que ses élèves.
 - iii. Multiplier la somme calculée aux termes de la sous-disposition ii par l'effectif quotidien moyen de jour du conseil calculé en ne comptant que ses élèves de l'élémentaire.
14. Additionner les sommes calculées pour le conseil aux termes des dispositions 1 à 13.
15. Diviser le total obtenu aux termes de la disposition 14 par l'effectif quotidien moyen de jour du conseil calculé en ne comptant que ses élèves de l'élémentaire.
16. Si une somme calculée conformément à l'article 46 du règlement sur les subventions de 1999-2000 est soustraite du total calculé pour le conseil aux termes de la disposition 3 de l'article 11 de ce règlement, soustraire, de la somme obtenue aux termes de la disposition 15, une somme calculée de la manière suivante :
 - i. Prendre la somme calculée pour le conseil aux termes du paragraphe 46 (2) du règlement sur les subventions de 1999-2000.
 - ii. Diviser la somme visée à la sous-disposition i par l'effectif quotidien moyen de jour du conseil calculé en ne comptant que ses élèves.

17. Where an amount calculated in accordance with section 47 of the 1999-2000 grant regulation is added to the total determined for the board under paragraph 3 of section 11 of that Regulation, add an amount calculated as follows to the amount obtained under paragraph 15:

- i. Take the amount calculated for the board under subsection 47 (2) of the 1999-2000 grant regulation.
- ii. Divide the amount referred to in subparagraph i by the day school A.D.E. for the board, counting only pupils of the board.

(4) For the purposes of paragraph 1 of subsection (2), the base amount for a secondary school pupil described in subsection (1) who is enrolled in a school operated by a district school board shall be determined as follows:

1. Determine the amount calculated for the board under paragraph 4 of section 13 of the 1999-2000 grant regulation, on account of the foundation allocation for secondary school pupils.
2. Determine an amount on account of the special education allocation for secondary school pupils, as follows:
 - i. Multiply the day school A.D.E. for the board, counting only secondary school pupils of the board, by \$229.
 - ii. Calculate the part of the equipment ISA determined for the board under paragraph 2 of section 14 of the 1999-2000 grant regulation that is generated by secondary school pupils of the board.
 - iii. Calculate the part of the amount determined for the board under clause 18 (a) of the 1999-2000 grant regulation that is generated by individuals who were secondary school pupils in the 1998-99 school year. Where an adjustment has been made under section 20 of that regulation to the amount calculated for the board under section 18 of that regulation, the amount calculated for the board under this subparagraph shall be increased or decreased by the amount that the Minister considers appropriate to take account of the adjustment made under section 20 of that regulation.
 - iv. Calculate the part of the amount determined for the board under clause 18 (b) of the 1999-2000 grant regulation that is generated by secondary school pupils of the board. Where an adjustment has been made under section 20 of that regulation to the amount calculated for the board under section 18 of that regulation, the amount calculated for the board under this subparagraph shall be increased or decreased by the amount that the Minister considers appropriate to take account of the adjustment made under section 20 of that regulation.
- v. Total the amounts obtained under subparagraphs i, ii, iii and iv.

3. In the case of an English-language district school board, determine an amount on account of the language allocation for secondary school pupils, as follows:

- i. Take the French as a second language amount for secondary school pupils of the board, as calculated under subsection 22 (5) of the 1999-2000 grant regulation.
- ii. Calculate the part of the ESL/ESD amount for the board that is generated by secondary school pupils of the board, as follows:

17. Si une somme calculée conformément à l'article 47 du règlement sur les subventions de 1999-2000 est ajoutée au total calculé pour le conseil aux termes de la disposition 3 de l'article 11 de ce règlement, ajouter, à la somme obtenue aux termes de la disposition 15, une somme calculée de la manière suivante :

- i. Prendre la somme calculée pour le conseil aux termes du paragraphe 47 (2) du règlement sur les subventions de 1999-2000.
- ii. Diviser la somme visée à la sous-disposition i par l'effectif quotidien moyen de jour du conseil calculé en ne comptant que ses élèves.

(4) Pour l'application de la disposition 1 du paragraphe (2), la somme de base relative à un élève du secondaire visé au paragraphe (1) qui est inscrit à une école qui relève d'un conseil scolaire de district est calculée de la manière suivante :

1. Calculer la part de l'élément éducation de base, calculée pour le conseil aux termes de la disposition 4 de l'article 13 du règlement sur les subventions de 1999-2000, qui vise les élèves du secondaire.
2. Calculer la part de l'élément éducation de l'enfance en difficulté qui vise les élèves du secondaire, de la manière suivante :
 - i. Multiplier l'effectif quotidien moyen de jour du conseil, en ne comptant que ses élèves du secondaire, par 229 \$.
 - ii. Calculer la part de l'AAS liée au matériel, calculée pour le conseil aux termes de la disposition 2 de l'article 14 du règlement sur les subventions de 1999-2000, qui vise les élèves du secondaire du conseil.
 - iii. Calculer la part de la somme calculée pour le conseil aux termes de l'alinéa 18 a) du règlement sur les droits de 1999-2000 qui vise les personnes qui étaient des élèves du secondaire pendant l'année scolaire 1998-1999. Si la somme calculée pour le conseil aux termes de l'article 18 de ce règlement a été redressée aux termes de l'article 20 du même règlement, la somme calculée pour le conseil aux termes de la présente sous-disposition est augmentée ou réduite de la somme que le ministre estime indiquée pour prendre en compte ce redressement.
 - iv. Calculer la part de la somme calculée pour le conseil aux termes de l'alinéa 18 b) du règlement sur les droits de 1999-2000 qui vise les élèves du secondaire du conseil. Si la somme calculée pour le conseil aux termes de l'article 18 de ce règlement a été redressée aux termes de l'article 20 du même règlement, la somme calculée pour le conseil aux termes de la présente sous-disposition est augmentée ou réduite de la somme que le ministre estime indiquée pour prendre en compte ce redressement.
- v. Additionner les sommes obtenues aux termes des sous-dispositions i, ii, iii et iv.

3. Dans le cas d'un conseil scolaire de district de langue anglaise, calculer la part de l'élément enseignement des langues qui vise les élèves du secondaire, de la manière suivante :

- i. Prendre la somme liée aux programmes de français langue seconde pour les élèves du secondaire du conseil, calculée aux termes du paragraphe 22 (5) du règlement sur les subventions de 1999-2000.
- ii. Calculer la part de la somme liée aux programmes d'ESL/ESD pour le conseil qui vise ses élèves du secondaire, de la manière suivante :

- A. Calculate the part of the ESL/ESD amount for the board, as calculated under paragraph 5 of subsection 24 (1) of the 1999-2000 grant regulation, that is generated by secondary school pupils of the board.
 - B. Take the amount set out for the board in Table 1 of the 1999-2000 grant regulation.
 - C. Divide the amount taken under sub-subparagraph B by the day school A.D.E. for the board, counting only pupils of the board.
 - D. Multiply the result obtained under sub-subparagraph C by the day school A.D.E. for the board, counting only secondary school pupils of the board.
 - E. Add the amounts calculated under sub-subparagraphs A and D.
- iii. Add the amount taken under subparagraph i and the amount calculated under sub-subparagraph E of subparagraph ii.
4. In the case of a French-language district school board, determine an amount on account of the language allocation for secondary school pupils, as follows:
 - i. Take the amount determined for the board under paragraph 2 of subsection 26 (1) of the 1999-2000 grant regulation.
 - ii. Divide the total of the amounts determined for the board under paragraph 7 of subsection 28 (4) of the 1999-2000 grant regulation by the total number of instructional units determined for the board under paragraph 3 of subsection 28 (4) of that Regulation. Multiply the result by the total number of secondary instructional units determined for the board under paragraph 2 of subsection 28 (4) of that Regulation.
 - iii. Calculate the part of the PDF funding level for the board, as calculated under subsection 28 (11) of the 1999-2000 grant regulation, that is generated by secondary school pupils of the board.
 - iv. Total the amount taken under subparagraph i, the product obtained under subparagraph ii and the amount calculated under subparagraph iii.
 5. Determine the amount calculated for the board under paragraph 8 of subsection 29 (11) of the 1999-2000 grant regulation, on account of the small schools allocation for secondary school pupils.
 6. Determine an amount on account of the remote and rural allocation for secondary school pupils, as follows:
 - i. Take the amount determined for the board under paragraph 5 of section 30 of the 1999-2000 grant regulation.
 - ii. Divide the amount determined for the board under subparagraph i by the day school A.D.E. for the board, counting only pupils of the board.
 - iii. Multiply the amount determined under subparagraph ii by the day school A.D.E. for the board, counting only secondary school pupils of the board.
 7. Determine an amount on account of the learning opportunities allocation for secondary school pupils, as follows:
 - A. Calculer la part de la somme liée aux programmes d'ESL/ESD pour le conseil, calculée aux termes de la disposition 5 du paragraphe 24 (1) du règlement sur les subventions de 1999-2000, qui vise les élèves du secondaire du conseil.
 - B. Prendre la somme fixée pour le conseil au tableau 1 du règlement sur les subventions de 1999-2000.
 - C. Diviser la somme prise aux termes de la sous-sous-disposition B par l'effectif quotidien moyen de jour du conseil calculé en ne comptant que ses élèves.
 - D. Multiplier le résultat obtenu aux termes de la sous-sous-disposition C par l'effectif quotidien moyen de jour du conseil calculé en ne comptant que ses élèves du secondaire.
 - E. Additionner les sommes calculées aux termes des sous-sous-dispositions A et D.
 - iii. Additionner la somme prise aux termes de la sous-disposition i et la somme calculée aux termes de la sous-sous-disposition E de la sous-disposition ii.
4. Dans le cas d'un conseil scolaire de district de langue française, calculer la part de l'élément enseignement des langues qui vise les élèves du secondaire, de la manière suivante :
 - i. Prendre la somme calculée pour le conseil aux termes de la disposition 2 du paragraphe 26 (1) du règlement sur les subventions de 1999-2000.
 - ii. Diviser le total des sommes calculées pour le conseil aux termes de la disposition 7 du paragraphe 28 (4) du règlement sur les subventions de 1999-2000 par le nombre total de modules scolaires calculé pour le conseil aux termes de la disposition 3 de ce paragraphe. Multiplier le résultat par le nombre de modules scolaires du secondaire calculé pour le conseil aux termes de la disposition 2 du même paragraphe.
 - iii. Calculer la part du niveau de financement des programmes de PDF pour le conseil, calculée aux termes du paragraphe 28 (11) du règlement sur les subventions de 1999-2000, qui vise les élèves du secondaire du conseil.
 - iv. Additionner la somme prise aux termes de la sous-disposition i, le produit obtenu aux termes de la sous-disposition ii et la somme calculée aux termes de la sous-disposition iii.
 5. Calculer la part de l'élément petites écoles, calculée pour le conseil aux termes de la disposition 8 du paragraphe 29 (11) du règlement sur les subventions de 1999-2000, qui vise les élèves du secondaire.
 6. Calculer la part de l'élément conseils ruraux et éloignés qui vise les élèves du secondaire, de la manière suivante :
 - i. Prendre la somme calculée pour le conseil aux termes de la disposition 5 de l'article 30 du règlement sur les subventions de 1999-2000.
 - ii. Diviser la somme calculée pour le conseil aux termes de la sous-disposition i par l'effectif quotidien moyen de jour du conseil calculé en ne comptant que ses élèves.
 - iii. Multiplier la somme calculée aux termes de la sous-disposition ii par l'effectif quotidien moyen de jour du conseil calculé en ne comptant que ses élèves du secondaire.
 7. Calculer la part de l'élément programmes d'aide à l'apprentissage qui vise les élèves du secondaire, de la manière suivante :

- i. Take the amount determined for the board under section 31 of the 1999-2000 grant regulation.
 - ii. Divide the amount determined for the board under subparagraph i by the day school A.D.E. for the board, counting only pupils of the board.
 - iii. Multiply the amount determined under subparagraph ii by the day school A.D.E. for the board, counting only secondary school pupils of the board.
8. Determine the amount calculated for the board under paragraph 9 of subsection 34 (12) of the 1999-2000 grant regulation, on account of the teacher compensation allocation for secondary school pupils.
 9. Determine an amount on account of the administration and governance allocation for secondary school pupils, as follows:
 - i. Take the amount determined for the board under paragraph 4 of subsection 37 (1) of the 1999-2000 grant regulation.
 - ii. Divide the amount determined for the board under subparagraph i by the day school A.D.E. for the board, counting only pupils of the board.
 - iii. Multiply the amount determined under subparagraph ii by the day school A.D.E. for the board, counting only secondary school pupils of the board.
 10. Determine an amount on account of the school operations part of the pupil accommodation allocation for secondary school pupils, as follows:
 - i. Multiply the secondary school area requirement for the board determined under paragraph 11 of subsection 38 (3) of the 1999-2000 grant regulation or, where a supplementary secondary school area factor is approved for the board under subsection 38 (9) of that Regulation, the adjusted secondary school area requirement determined for the board under paragraph 12 of subsection 38 (3) of that Regulation, by the benchmark operating cost of \$55.97.
 - ii. Add to the amount determined under subparagraph i the amount calculated for the board under paragraph 18 of subsection 38 (3) of the 1999-2000 grant regulation, on account of the top-up amount for secondary school operations.
 11. Determine a stable funding guarantee amount for secondary school pupils, as follows:
 - i. Take the amount determined for the board under section 48 of the 1999-2000 grant regulation.
 - ii. Divide the amount determined for the board under subparagraph i by the day school A.D.E. for the board, counting only pupils of the board.
 - iii. Multiply the amount determined under subparagraph ii by the day school A.D.E. for the board, counting only secondary school pupils of the board.
 12. Total the amounts determined for the board under paragraphs 1 to 11.
 13. Divide the total obtained under paragraph 12 by the day school A.D.E. for the board, counting only secondary school pupils of the board.
 14. Where an amount calculated in accordance with section 46 of the 1999-2000 grant regulation is subtracted from the total
- i. Prendre la somme calculée pour le conseil aux termes de l'article 31 du règlement sur les subventions de 1999-2000.
 - ii. Diviser la somme calculée pour le conseil aux termes de la sous-disposition i par l'effectif quotidien moyen de jour du conseil calculé en ne comptant que ses élèves.
 - iii. Multiplier la somme calculée aux termes de la sous-disposition ii par l'effectif quotidien moyen de jour du conseil calculé en ne comptant que ses élèves du secondaire.
8. Calculer la part de l'élément rémunération des enseignants, calculée pour le conseil aux termes de la disposition 9 du paragraphe 34 (12) du règlement sur les subventions de 1999-2000, qui vise les élèves du secondaire.
 9. Calculer la part de l'élément administration et gestion qui vise les élèves du secondaire, de la manière suivante :
 - i. Prendre la somme calculée pour le conseil aux termes de la disposition 4 du paragraphe 37 (1) du règlement sur les subventions de 1999-2000.
 - ii. Diviser la somme calculée pour le conseil aux termes de la sous-disposition i par l'effectif quotidien moyen de jour du conseil calculé en ne comptant que ses élèves.
 - iii. Multiplier la somme calculée aux termes de la sous-disposition ii par l'effectif quotidien moyen de jour du conseil calculé en ne comptant que ses élèves du secondaire.
 10. Calculer la part de la portion fonctionnement des écoles de l'élément installations d'accueil pour les élèves qui vise les élèves du secondaire, de la manière suivante :
 - i. Multiplier par le coût repère de fonctionnement de 55,97 \$ la superficie requise pour les écoles secondaires du conseil calculée aux termes de la disposition 11 du paragraphe 38 (3) du règlement sur les subventions de 1999-2000 ou, si un facteur relatif à la superficie supplémentaire des écoles secondaires est approuvé pour le conseil aux termes du paragraphe 38 (9) de ce règlement, la superficie redressée des écoles secondaires requise pour le conseil calculée aux termes de la disposition 12 du paragraphe 38 (3) du même règlement.
 - ii. Additionner, à la somme calculée aux termes de la sous-disposition i, la somme complémentaire liée au fonctionnement des écoles secondaires calculée pour le conseil aux termes de la disposition 18 du paragraphe 38 (3) du règlement sur les subventions de 1999-2000.
 11. Calculer la somme liée au financement stable garanti qui vise les élèves du secondaire, de la manière suivante :
 - i. Prendre la somme calculée pour le conseil aux termes de l'article 48 du règlement sur les subventions de 1999-2000.
 - ii. Diviser la somme calculée pour le conseil aux termes de la sous-disposition i par l'effectif quotidien moyen de jour du conseil calculé en ne comptant que ses élèves.
 - iii. Multiplier la somme calculée aux termes de la sous-disposition ii par l'effectif quotidien moyen de jour du conseil calculé en ne comptant que ses élèves du secondaire.
 12. Additionner les sommes calculées pour le conseil aux termes des dispositions 1 à 11.
 13. Diviser le total obtenu aux termes de la disposition 12 par l'effectif quotidien moyen de jour du conseil calculé en ne comptant que ses élèves du secondaire.
 14. Si une somme calculée conformément à l'article 46 du règlement sur les subventions de 1999-2000 est soustraite du total calculé

determined for the board under paragraph 3 of section 11 of that Regulation, subtract an amount calculated as follows from the amount obtained under paragraph 13:

- i. Take the amount calculated for the board under subsection 46 (2) of the 1999-2000 grant regulation.
- ii. Divide the amount referred to in subparagraph i by the day school A.D.E. for the board, counting only pupils of the board.

15. Where an amount calculated in accordance with section 47 of the 1999-2000 grant regulation is added to the total determined for the board under paragraph 3 of section 11 of that Regulation, add an amount calculated as follows to the amount obtained under paragraph 13:

- i. Take the amount calculated for the board under subsection 47 (2) of the 1999-2000 grant regulation.
- ii. Divide the amount referred to in subparagraph i by the day school A.D.E. for the board, counting only pupils of the board.

(5) For the purposes of paragraph 1 of subsection (2), the base amount for a pupil described in subsection (1) who is enrolled in a school operated by an isolate board shall be determined as follows:

1. Take the approved expenditure of the board within the meaning of subsection 55 (1) of the 1999-2000 grant regulation.
2. Deduct the amount of the approved expenditure referred to in paragraph 1 that relates to transportation.
3. Deduct the amount of the approved expenditure referred to in paragraph 1 that relates to school renewal.
4. Divide the amount obtained under paragraph 3 by the day school A.D.E. for the board, counting only pupils of the board.

(6) The fee in respect of a pupil described in subsection (1) who is enrolled in a Native language program in a school operated by a district school board and whose fee is receivable from the Crown in right of Canada or from a band, the council of a band or an education authority where the band, council of a band or education authority is authorized by the Crown in right of Canada to provide education for Indians, may, at the option of the district school board, be increased by an amount equal to the allocation for Native language that would be generated for the pupil if he or she were a pupil of the board, determined in accordance with section 23 or 27, as the case may be, of the 1999-2000 grant regulation.

(7) The fee in respect of a pupil described in subsection (1) who is enrolled in a high cost program may, at the option of the board, be increased by multiplying the fee by a factor agreed on by the board providing the instruction and the party from whom the fee is receivable or, in the absence of agreement, by a factor determined in accordance with subsection (8).

(8) If the board providing the instruction and the party from whom the fee is receivable cannot agree on a factor, the factor shall be determined by three arbitrators, appointed as follows:

1. One arbitrator shall be appointed by the board that provides the instruction.
2. One arbitrator shall be appointed by the party from whom the fee is receivable.
3. One arbitrator shall be appointed by the arbitrators appointed under paragraphs 1 and 2.

pour le conseil aux termes de la disposition 3 de l'article 11 de ce règlement, soustraire, de la somme obtenue aux termes de la disposition 13, une somme calculée de la manière suivante :

- i. Prendre la somme calculée pour le conseil aux termes du paragraphe 46 (2) du règlement sur les subventions de 1999-2000.
- ii. Diviser la somme visée à la sous-disposition i par l'effectif quotidien moyen de jour du conseil calculé en ne comptant que ses élèves.

15. Si une somme calculée conformément à l'article 47 du règlement sur les subventions de 1999-2000 est ajoutée au total calculé pour le conseil aux termes de la disposition 3 de l'article 11 de ce règlement, ajouter, à la somme obtenue aux termes de la disposition 13, une somme calculée de la manière suivante :

- i. Prendre la somme calculée pour le conseil aux termes du paragraphe 47 (2) du règlement sur les subventions de 1999-2000.
- ii. Diviser la somme visée à la sous-disposition i par l'effectif quotidien moyen de jour du conseil calculé en ne comptant que ses élèves.

(5) Pour l'application de la disposition 1 du paragraphe (2), la somme de base relative à un élève visé au paragraphe (1) qui est inscrit à une école qui relève d'un conseil isolé est calculée de la manière suivante :

1. Prendre les dépenses approuvées du conseil au sens du paragraphe 55 (1) du règlement sur les subventions de 1999-2000.
2. Déduire la part des dépenses approuvées visées à la disposition 1 qui se rapporte au transport des élèves.
3. Déduire la part des dépenses approuvées visées à la disposition 1 qui se rapporte à la réfection des écoles.
4. Diviser la somme obtenue aux termes de la disposition 3 par l'effectif quotidien moyen de jour du conseil calculé en ne comptant que ses élèves.

(6) Les droits exigibles à l'égard de l'élève visé au paragraphe (1) qui est inscrit à un programme de langue autochtone dans une école qui relève d'un conseil scolaire de district et que celui-ci peut recevoir de la Couronne du chef du Canada ou d'une bande, du conseil d'une bande ou d'une commission indienne de l'éducation que la Couronne du chef du Canada autorise à dispenser l'enseignement aux Indiens peuvent, au choix du conseil scolaire de district, être augmentés d'une somme égale à la fraction de la somme liée aux programmes de langue autochtone qui serait versée pour l'élève s'il s'agissait d'un élève du conseil, calculée conformément à l'article 23 ou 27, selon le cas, du règlement sur les subventions de 1999-2000.

(7) Les droits exigibles à l'égard d'un élève visé au paragraphe (1) qui est inscrit à un programme à coût élevé peuvent, au choix du conseil, être augmentés en les multipliant par le facteur dont conviennent le conseil qui dispense l'enseignement et la partie qui doit payer ces droits ou, en l'absence d'entente, par un facteur calculé conformément au paragraphe (8).

(8) Si le conseil qui dispense l'enseignement et la partie qui doit payer les droits ne peuvent s'entendre sur le facteur à utiliser, celui-ci est calculé par trois arbitres, nommés de la manière suivante :

1. Un arbitre est nommé par le conseil qui dispense l'enseignement.
2. Un arbitre est nommé par la partie qui doit payer les droits.
3. Un arbitre est nommé par les arbitres nommés aux termes des dispositions 1 et 2.

(9) The decision of the arbitrators or a majority of them is final and binding on the board providing the instruction and the party from whom the fee is receivable.

(10) This section does not apply in respect of a pupil to whom subsection 49 (6) of the Act applies.

FEES CHARGED TO PARTIES RESIDING IN ONTARIO

4. (1) This section applies in respect of a pupil described in subsection 46 (2) of the Act who is enrolled in a day school program in a school of a district school board or an isolate board and who resides in a school section, separate school zone or secondary school district in which the pupil's parent or guardian resides, on land that is exempt from taxation for the purposes of any board.

(2) The fee that a board shall charge in respect of a pupil described in subsection (1) to the parent or guardian is \$40 for each month or part of a month the pupil is enrolled in a school of the board.

(3) A board charging a parent or guardian a fee of \$40 for any month or part of a month under subsection (2) in respect of a pupil described in subsection (1) who is enrolled in a school of the board shall not charge the parent or guardian any fee under subsection (2) for the same month or part of a month in respect of another pupil described in subsection (1) who is enrolled in a school of the board.

(4) This section does not apply in respect of a pupil to whom subsection 49 (6) of the Act applies.

FEES CHARGED TO PARTIES NOT RESIDING IN ONTARIO

5. (1) The fee in respect of a pupil who is enrolled in a day school program in a school of a district school board or an isolate board and whose parent or guardian does not reside in Ontario shall be such fee as the board may determine, but shall not exceed the maximums set by subsections (2) and (3).

(2) Except as is provided in subsection (3), the fee in respect of a pupil who is enrolled in a school of a district school board or an isolate board and whose parent or guardian does not reside in Ontario shall not exceed the amount calculated as follows:

1. Add the base amount determined under paragraph 1 of subsection 3 (2) and the P.A.C. for the pupil.
2. Multiply the amount obtained under paragraph 1 by 0.1.
3. Multiply the result obtained under paragraph 2 by the number of months or part months during which the pupil is enrolled in a school operated by the board.

(3) Where the pupil is enrolled in a high cost program, the maximum set by subsection (2) shall be increased by an amount that does not exceed the additional cost to the board of providing the high cost program to the pupil.

(4) This section does not apply in respect of a pupil to whom subsection 49 (6) of the Act applies.

FEES IN RESPECT OF PUPILS TO WHOM SUBSECTION 49 (6) OF THE ACT APPLIES

6. (1) The fee in respect of a pupil who is enrolled in a day school program and to whom subsection 49 (6) of the Act applies shall be the amount determined in accordance with a fees policy developed for the purposes of this section by the board that operates the school in which the pupil is enrolled.

(9) La décision des arbitres ou de la majorité d'entre eux est définitive et lie le conseil qui dispense l'enseignement et la partie qui doit payer les droits.

(10) Le présent article ne s'applique pas à l'égard des élèves auxquels s'applique le paragraphe 49 (6) de la Loi.

DROITS IMPOSÉS AUX PARTIES QUI RÉSIDENT EN ONTARIO

4. (1) Le présent article s'applique à l'égard de l'élève visé au paragraphe 46 (2) de la Loi qui est inscrit à un programme scolaire de jour dans une école d'un conseil scolaire de district ou d'un conseil isolé et qui réside sur un bien-fonds où réside son père, sa mère ou son tuteur, qui est exonéré d'impôts aux fins d'un conseil quelconque et qui est situé dans une circonscription scolaire, une zone d'écoles séparées ou un district d'écoles secondaires.

(2) Les droits qu'un conseil impose à l'égard d'un élève visé au paragraphe (1) à son père, à sa mère ou à son tuteur sont de 40 \$ pour chaque mois ou fraction de mois où il est inscrit à une école du conseil.

(3) Le conseil qui impose à un père, à une mère ou à un tuteur des droits de 40 \$ pour un mois ou une fraction de mois aux termes du paragraphe (2) à l'égard d'un élève visé au paragraphe (1) qui est inscrit à une de ses écoles ne doit pas imposer de droits au père, à la mère ou au tuteur aux termes de ce paragraphe pour le même mois ou la même fraction de mois à l'égard d'un autre élève visé au paragraphe (1) qui est inscrit à une de ses écoles.

(4) Le présent article ne s'applique pas à l'égard de l'élève auquel s'applique le paragraphe 49 (6) de la Loi.

DROITS IMPOSÉS AUX PARTIES QUI NE RÉSIDENT PAS EN ONTARIO

5. (1) Les droits exigibles à l'égard de l'élève qui est inscrit à un programme scolaire de jour dans une école d'un conseil scolaire de district ou d'un conseil isolé et dont le père, la mère ou le tuteur ne réside pas en Ontario sont ceux que fixe le conseil, mais ne doivent pas dépasser les maximums prévus aux paragraphes (2) et (3).

(2) Sauf dans le cas prévu au paragraphe (3), les droits exigibles à l'égard de l'élève qui est inscrit à une école d'un conseil scolaire de district ou d'un conseil isolé et dont le père, la mère ou le tuteur ne réside pas en Ontario ne doivent pas dépasser la somme calculée de la manière suivante :

1. Additionner la somme de base calculée aux termes de la disposition 1 du paragraphe 3 (2) et les frais de pension de l'élève.
2. Multiplier la somme obtenue aux termes de la disposition 1 par 0,1.
3. Multiplier le résultat obtenu aux termes de la disposition 2 par le nombre de mois ou de fractions de mois où l'élève est inscrit à une école qui relève du conseil.

(3) Si l'élève est inscrit à un programme à coût élevé, le maximum fixé au paragraphe (2) est augmenté d'une somme ne dépassant pas le coût supplémentaire assumé par le conseil pour dispenser le programme à cet élève.

(4) Le présent article ne s'applique pas à l'égard de l'élève auquel s'applique le paragraphe 49 (6) de la Loi.

DROITS EXIGIBLES À L'ÉGARD DES ÉLÈVES AUXQUELS S'APPLIQUE LE PARAGRAPHE 49 (6) DE LA LOI

6. (1) Les droits exigibles à l'égard d'un élève qui est inscrit à un programme scolaire de jour et auquel s'applique le paragraphe 49 (6) de la Loi correspondent à la somme calculée conformément à la politique relative aux droits que le conseil dont relève l'école à laquelle est inscrit l'élève élabore pour l'application du présent article.

(2) The policy referred to in subsection (1) shall not, in the case of a district school board or isolate board, provide for a fee in respect of a pupil that is less than the amount that would be chargeable by the board in respect of the pupil under section 3.

(3) The policy referred to in subsection (1) shall not, in the case of a section 68 board, provide for a fee in respect of a pupil that is less than the amount that would be chargeable by the board in respect of the pupil under section 7.

FEES PAID TO SECTION 68 BOARDS

7. Except where section 6 applies, the fee that a board shall charge in respect of a pupil who is enrolled in a day school program in a school operated by a section 68 board and whose parent or guardian does not reside in Ontario shall be an amount determined as follows:

1. Take the expenditure of the board for the 1999-2000 fiscal year that is acceptable to the Minister for grant purposes, excluding,
 - i. expenditures for debt charges,
 - ii. expenditures for the purchase of capital assets, as defined in the 1999-2000 grant regulation,
 - iii. expenditures for the restoration of destroyed or damaged capital assets, as defined in the 1999-2000 grant regulation, and
 - iv. provisions for reserves for working funds and provisions for reserve funds.
2. Deduct the revenue of the board for the 1999-2000 fiscal year from,
 - i. any organization on whose property a school of the board is located, and
 - ii. refunds of expenditure of the kind described in subparagraph i, ii or iii of paragraph 1.
3. Divide the amount obtained under paragraph 2 by the total number of pupil days for the board for the period September 1, 1999 to August 31, 2000. For the purposes of this paragraph, the total number of pupil days for the board for the period is the sum of the number of instructional days for which each pupil was enrolled in the school during the period.
4. Multiply the result obtained under paragraph 3 by the number of instructional days for which the pupil is enrolled in the school.

FEES IN RESPECT OF SUMMER SCHOOL AND CONTINUING EDUCATION

8. (1) The fee in respect of a pupil to whom subsection 49 (6) of the Act applies and who is enrolled in a continuing education or summer school class or course provided by a district school board or an isolate board shall be the amount determined by the board.

(2) The fee in respect of a pupil described in subsection 3 (1) or 5 (1) who is enrolled in a continuing education class or course provided by a district school board or an isolate board shall be the amount agreed on by the board and the party from whom the fee is receivable or, in the absence of agreement, the amount determined as follows:

1. Determine the expenditure of the board in the 1999-2000 fiscal year for continuing education classes or courses.

(2) La politique visée au paragraphe (1) ne doit pas, dans le cas d'un conseil scolaire de district ou d'un conseil isolé, prévoir des droits à l'égard d'un élève qui sont inférieurs à la somme que le conseil pourrait exiger à son égard aux termes de l'article 3.

(3) La politique visée au paragraphe (1) ne doit pas, dans le cas d'un conseil créé en vertu de l'article 68, prévoir des droits à l'égard d'un élève qui sont inférieurs à la somme que le conseil pourrait exiger à son égard aux termes de l'article 7.

DROITS VERSÉS AUX CONSEILS CRÉÉS EN VERTU DE L'ARTICLE 68

7. Sous réserve de l'article 6, les droits qu'un conseil impose à l'égard de l'élève qui est inscrit à un programme scolaire de jour dans une école qui relève d'un conseil créé en vertu de l'article 68 et dont le père, la mère ou le tuteur ne réside pas en Ontario sont calculés de la manière suivante :

1. Prendre les dépenses du conseil pour l'exercice 1999-2000 que le ministre juge acceptables aux fins des subventions, à l'exclusion de ce qui suit :
 - i. les dépenses liées au service de la dette,
 - ii. les dépenses liées à l'acquisition d'immobilisations au sens du règlement sur les subventions de 1999-2000,
 - iii. les dépenses liées à la restauration d'immobilisations, au sens du règlement sur les subventions de 1999-2000, qui ont été détruites ou qui sont endommagées,
 - iv. les provisions pour réserves pour fonds de roulement et celles pour fonds de réserve.
2. Déduire les recettes de l'exercice 1999-2000 du conseil provenant de ce qui suit :
 - i. un organisme sur le bien duquel se trouve une école du conseil,
 - ii. les remboursements de dépenses du genre visé à la sous-disposition i, ii ou iii de la disposition 1.
3. Diviser la somme obtenue aux termes de la disposition 2 par le nombre total de jours-élève du conseil pour la période allant du 1^{er} septembre 1999 au 31 août 2000. Pour l'application de la présente disposition, le nombre total de jours-élève du conseil pour cette période est la somme du nombre de jours d'enseignement pour lesquels chaque élève était inscrit à l'école pendant cette période.
4. Multiplier le résultat obtenu aux termes de la disposition 3 par le nombre de jours d'enseignement pour lesquels l'élève est inscrit à l'école.

DROITS EXIGIBLES À L'ÉGARD DES COURS D'ÉTÉ ET DES COURS D'ÉDUCATION PERMANENTE

8. (1) Les droits exigibles à l'égard d'un élève auquel s'applique le paragraphe 49 (6) de la Loi et qui est inscrit à une classe ou un cours d'éducation permanente ou à une classe ou un cours d'été offert par un conseil scolaire de district ou un conseil isolé correspondent à la somme calculée par le conseil.

(2) Les droits exigibles à l'égard d'un élève visé au paragraphe 3 (1) ou 5 (1) qui est inscrit à une classe ou un cours d'éducation permanente offert par un conseil scolaire de district ou un conseil isolé correspondent à la somme convenue par le conseil et la partie qui doit payer les droits ou, en l'absence d'entente, à la somme calculée de la manière suivante :

1. Calculer les dépenses que le conseil a engagées au cours de l'exercice 1999-2000 au titre des classes ou des cours d'éducation permanente.

2. Divide the amount determined under paragraph 1 by the continuing education A.D.E. for the board.
3. Multiply the result obtained under paragraph 2 by the continuing education A.D.E. for the board, counting only pupils described in this subsection.

(3) The fee in respect of a pupil described in subsection 3 (1) or 5 (1) who is enrolled in a summer school class or course provided by a district school board or an isolate board shall be the amount agreed on by the board and the party from whom the fee is receivable or, in the absence of agreement, the amount determined as follows:

1. Determine the expenditure of the board in the 1999-2000 fiscal year for summer school classes or courses.
2. Divide the amount determined under paragraph 1 by the summer school A.D.E. for the board.
3. Multiply the result obtained under paragraph 2 by the summer school A.D.E. for the board, counting only pupils described in this subsection.

NO FEES PAYABLE BY BOARDS

9. No fee is payable under this Regulation by one board to another board.

DAVID JOHNSON
Minister of Education and Training

Dated on February 8, 1999.

16/99

2. Diviser la somme calculée aux termes de la disposition 1 par l'effectif quotidien moyen des cours d'éducation permanente du conseil.
3. Multiplier le résultat obtenu aux termes de la disposition 2 par l'effectif quotidien moyen des cours d'éducation permanente du conseil, en ne comptant que les élèves visés au présent paragraphe.

(3) Les droits exigibles à l'égard d'un élève visé au paragraphe 3 (1) ou 5 (1) qui est inscrit à une classe ou un cours d'été offert par un conseil scolaire de district ou un conseil isolé correspondent à la somme convenue par le conseil et la partie qui doit payer les droits ou, en l'absence d'entente, à la somme calculée de la manière suivante :

1. Calculer les dépenses que le conseil a engagées au cours de l'exercice 1999-2000 au titre des classes ou des cours d'été.
2. Diviser la somme calculée aux termes de la disposition 1 par l'effectif quotidien moyen des cours d'été du conseil.
3. Multiplier le résultat obtenu aux termes de la disposition 2 par l'effectif quotidien moyen des cours d'été du conseil, en ne comptant que les élèves visés au présent paragraphe.

INTERDICTION DES PAIEMENTS DE DROITS DE CONSEIL À CONSEIL

9. Aucun conseil n'est tenu de payer des droits à un autre conseil aux termes du présent règlement.

DAVID JOHNSON
Ministre de l'Éducation et de la Formation

Fait le 8 février 1999.

ONTARIO REGULATION 216/99 made under the ELECTRICITY ACT, 1998

Made: March 31, 1999
Filed: March 31, 1999

Amending O. Reg. 97/99
(Transfer Orders and Transfer By-laws)

Note: Ontario Regulation 97/99 has not previously been amended.

1. Section 1 of Ontario Regulation 97/99 is amended by adding the following paragraph:

- 1.1 Section 20 of the *Business Corporations Act*.

16/99

ONTARIO REGULATION 217/99 made under the HIGHWAY 407 ACT, 1998

Made: March 31, 1999
Filed: April 1, 1999

HIGHWAY 407 LANDS

1. (1) The lands described in Schedule 2 are the part of the Highway 407 lands that comprises the route in existence on the day this Regulation comes into force.

(2) The lands described in Schedules 1 and 3 are the parts of the Highway 407 lands that are intended to comprise the routes to be built after this Regulation comes into force and for which there is a conceptual design.

Schedule 1

That part of the route of Highway 407,

(a) in the City of Burlington consisting of,

- (i) a right-of-way of linear shape and approximately 110 metres in width, to accommodate no more than 8 through lanes, commencing at an interchange with the QEW and Highway 403, and running more or less in a northerly direction, crossing Brant Street, to a grade separation with Upper Middle Road,
- (ii) a right-of-way of irregular shape, to accommodate a grade separation with Upper Middle Road,
- (iii) a right-of-way of linear shape and approximately 150 metres in width, to accommodate no more than 8 through lanes, continuing from the intersection of Brant Street and Upper Middle Road, and running more or less in a northerly direction, crossing Guelph Line, to a grade separation with Highway 5 (Dundas Street),
- (iv) a right-of-way of irregular shape, to accommodate a full interchange with Highway 5 (Dundas Street),
- (v) a right-of-way of linear shape and approximately 125 metres in width, to accommodate no more than 8 through lanes,

continuing from an interchange with Highway 5 (Dundas Street), and running more or less in a northeasterly direction, crossing Walkers Line, to an interchange with Appleby Line, and

- (vi) a right-of-way of irregular shape, to accommodate a full interchange with Appleby Line;
- (b) in the City of Burlington and the Town of Oakville consisting of a right-of-way of linear shape and approximately 125 metres in width, to accommodate no more than 8 through lanes, continuing from an interchange with Appleby Line, and running more or less in a northeasterly direction, crossing the CNR line and Tremaine Road, to an interchange with Regional Road 25 (Bronte Road);
- (c) in the Town of Oakville consisting of,
 - (i) a right-of-way of irregular shape, to accommodate a full interchange with Regional Road 25 (Bronte Road),
 - (ii) a right-of-way of linear shape and approximately 125 metres in width, to accommodate no more than 8 through lanes, continuing from an interchange with Highway 25 (Bronte Road), and running more or less in a northerly and northeasterly direction, crossing Burnhamthorpe Road allowance, to an interchange with Neyagawa Boulevard,
 - (iii) a right-of-way of irregular shape, to accommodate a partial interchange with Neyagawa Boulevard,
 - (iv) a right-of-way of linear shape and approximately 125 metres in width, to accommodate no more than 8 through lanes, continuing from an interchange with Neyagawa Boulevard, and running more or less in a northeasterly direction, crossing Sixth Line, to an interchange with Trafalgar Road,
 - (v) a right-of-way of irregular shape, to accommodate the current intersection and ultimate full interchange with Trafalgar Road, and
 - (vi) a right-of-way of linear shape and approximately 125 metres in width, to accommodate no more than 8 through lanes, continuing from an interchange with Trafalgar Road, and running more or less in a northeasterly direction, crossing Ninth Line, to an interchange with Highway 403.

Schedule 2

That part of the route of Highway 407,

- (a) in the City of Brampton, the Town of Halton Hills, the Town of Milton and the City of Mississauga consisting of,
 - (i) Part of Lot 13, Concession 3, West of Hurontario Street, in the City of Brampton, Regional Municipality of Peel (formerly in the Geographic Township of Toronto, County of Peel), designated as Parts 1, 2, 5, 6, 7, 8, 9, 10, 11, 12 and 13 on Plan 43R-23411,
 - (ii) Part of Lot 13 and 14, Concession 4, West of Hurontario Street, in the City of Brampton, Regional Municipality of Peel (formerly in the Geographic Township of Toronto, County of Peel), and Part of Lot 12, Concession 4, West of Hurontario Street, in the City of Mississauga, Regional Municipality of Peel (formerly in the Geographic Township of Toronto, County of Peel), designated as Parts 1, 2, 3, 4, 5, 6, 7 and 8 on Plan 43R-23412,

- (iii) Part of Lots 13 and 14, Concession 5, West of Hurontario Street, in the City of Brampton, Regional Municipality of Peel (formerly in the Geographic Township of Toronto, County of Peel), designated as Parts 1, 2, 3, 4, 5, 6, 7 and 8 on Plan 43R-23413,
- (iv) Part of Lots 14 and 15, Concession 6, West of Hurontario Street, in the City of Brampton, Regional Municipality of Peel (formerly in the Geographic Township of Toronto, County of Peel), designated as Parts 1, 2 and 3 on Plan 43R-23414,
- (v) Part of Lots 14 and 15, Concession 10, New Survey and Part of Lots 14 and 15, Concession 11, New Survey, in the Town of Halton Hills, Regional Municipality of Halton (formerly in the Geographic Township of Trafalgar), designated as Parts 1, 2, 3, 5, 6, 7 and 8 on Plan 20R-13136,
- (vi) Part of Lot 15, Concession 9, New Survey and Part of Lot 15, Concession 10, New Survey, in the Town of Halton Hills, Regional Municipality of Halton (formerly in the Geographic Township of Trafalgar), designated as Parts 1, 2, 3 and 4 on Plan 20R-13135,
- (vii) Part of Lots 1 to 10 (both inclusive) and all of Nelson Avenue (not opened), Registered Plan 162 and Part of Lots 6 and 7, Concession 2, North of Dundas Street and Part of the Original Road Allowance between Lots 5 and 6, Concession 2, North of Dundas Street, in the Town of Milton, Regional Municipality of Halton (formerly in the Geographic Township of Trafalgar), designated as Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 and 31 on Plan 20R 13128,
- (viii) Part of Lots 1 and 2, Concession 9, New Survey, in the Town of Milton, Regional Municipality of Halton (formerly in the Geographic Township of Trafalgar), designated as Parts 1 and 2 on Plan 20R-13131,
- (ix) Part of Lots 3 and 4, Concession 9, New Survey, in the Town of Milton, Regional Municipality of Halton (formerly in the Geographic Township of Trafalgar), designated as Parts 1, 2 and 3 on Plan 20R-13129,
- (x) Part of Lots 5 and 6, Concession 9, New Survey, in the Town of Milton, Regional Municipality of Halton (formerly in the Geographic Township of Trafalgar), designated as Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 on Plan 20R-13127,
- (xi) Part of Lot 7 and 8, Concession 9, New Survey, in the Town of Milton, Regional Municipality of Halton (formerly in the Geographic Township of Trafalgar), designated as Part 1 on Plan 20R-13134,
- (xii) Part of Lot 14, Concession 10, New Survey, in the City of Mississauga, Regional Municipality of Peel (formerly in the Geographic Township of Trafalgar), designated as Part 1 on Plan 43R-23417,
- (xiii) Part of Lots 12, 13 and 14, Concession 9, New Survey, in the Town of Milton, Regional Municipality of Halton (formerly in the Geographic Township of Trafalgar), designated as Parts 1, 2, 3, 4, 5, 6, 7 and 8 on Plan 20R-13133,
- (xiv) Part of Lots 11 and 12, Concession 9, New Survey, in the Town of Milton, Regional Municipality of Halton (formerly in the Geographic Township of Trafalgar), designated as Parts 1, 2, 3, 4, 5, 6, 7 and 8 on Plan 20R-13130,
- (xv) Part of Lots 9 and 10, Concession 9, New Survey, in the Town of Milton, Regional Municipality of Halton (formerly

in the Geographic Township of Trafalgar), designated as Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 16, 17, 18, 19, 20 and 21 on Plan 20R-13132, and

- (xvi) Part of Lots 1 and 5, Registrar's Compiled Plan No. 15442, in the City of Mississauga, Regional Municipality of Peel (formerly in the Geographic Township of Trafalgar), designated as Parts 1, 2, 3, 4 and 5 on Plan 43R-23415.

(b) in the City of Brampton, consisting of,

- (i) Lot 1, Concession 9, Northern Division, in the City of Brampton, Regional Municipality of Peel (formerly in the Geographic Township of Toronto Gore), designated as Parts 1 and 2 on a Draft Reference Plan prepared by J.D. Barnes Limited bearing Reference No. 97-28-287-05A filed in the Regional Office of the Ministry of Transportation in Downsview and identified by a stamp of the Registrar of Regulations dated March 29, 1999,
- (ii) Part of Lot 1 and Lot 2, Concession 8, Northern Division and Part of Lots 1, 2, 3 and 4, Registered Plan 378, in the City of Brampton, Regional Municipality of Peel (formerly in the Geographic Township of Toronto Gore), designated as Parts 1, 2, 3, 4 and 5 on a Draft Reference Plan prepared by J.D. Barnes Limited bearing Reference No. 97-28-287-05-B filed in the Regional Office of the Ministry of Transportation in Downsview and identified by a stamp of the Registrar of Regulations dated March 29, 1999,
- (iii) Part of Lot 1, Concession 7, Northern Division, in the City of Brampton, Regional Municipality of Peel (formerly in the Geographic Township of Toronto), designated as Parts 1, 2 and 3 on a Draft Reference Plan prepared by J.D. Barnes Limited bearing Reference No. 97-28-287-05-CE filed in the Regional Office of the Ministry of Transportation in Downsview and identified by a stamp of the Registrar of Regulations dated March 29, 1999,
- (iv) Part of Lot 7, Concession 7, Northern Division and Parts of Blocks 11 and 12, Registered Plan 43M-931 and Parts of Blocks 2, 3, 5 and 6, Registered Plan 43M-891, in the City of Brampton, Regional Municipality of Peel (formerly in the Geographic Township of Toronto Gore), designated as Parts 2, 4, 5 and 6 on a Draft Reference Plan prepared by J.D. Barnes Limited bearing Reference No. 97-28-287-05-CW filed in the Regional Office of the Ministry of Transportation in Downsview and identified by a stamp of the Registrar of Regulations dated March 29, 1999,
- (v) Part of Blocks 16, 18 and 19, Registered Plan 43M-643 and Block 29 (0.30 Reserve), in the City of Brampton, Regional Municipality of Peel (formerly in the Geographic Township of Chinguacousy), designated as Parts 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13 and 14 on a Draft Reference Plan prepared by J.D. Barnes Limited bearing Reference No. 97-28-287-05-D filed in the Regional Office of the Ministry of Transportation in Downsview and identified by a stamp of the Registrar of Regulations dated March 29, 1999,
- (vi) Part of Lot 15, Concession 6, East of Hurontario Street, in the City of Brampton, Regional Municipality of Peel (formerly in the Geographic Township of Toronto), designated as Parts 1, 2 and 3 on a Draft Reference Plan prepared by J.D. Barnes Limited bearing Reference No. 97-28-287-05-E filed in the Regional Office of the Ministry of Transportation in Downsview and identified by a stamp of the Registrar of Regulations dated March 29, 1999,

- (vii) Part of Lots 14 and 15, Concession 5, East of Hurontario Street, in the City of Brampton, Regional Municipality of Peel (formerly in the Geographic Township of Chinguacousy), designated as Parts 1, 2, 3, 4, 5, 6 and 7 on a Draft Reference Plan prepared by J.D. Barnes Limited bearing Reference No. 97-28-287-05-FE filed in the Regional Office of the Ministry of Transportation in Downsview and identified by a stamp of the Registrar of Regulations dated March 29, 1999,

- (viii) Part of Lots 14 and 15, Concession 5, East of Hurontario Street, in the City of Brampton, Regional Municipality of Peel (formerly in the Geographic Township of Chinguacousy), designated as Parts 1, 2, 3 and 4 on a Draft Reference Plan prepared by J.D. Barnes Limited bearing Reference No. 97-28-287-05-FW filed in the Regional Office of the Ministry of Transportation in Downsview and identified by a stamp of the Registrar of Regulations dated March 29, 1999,

- (ix) Part of Lots 13 and 14, Concession 4, East of Hurontario Street, in the City of Brampton, Regional Municipality of Peel (formerly in the Geographic Township of Chinguacousy), designated as Parts 1, 2, 3, 4, 5 and 6 on a Draft Reference Plan prepared by J.D. Barnes Limited bearing Reference No. 97-28-287-05-G filed in the Regional Office of the Ministry of Transportation in Downsview and identified by a stamp of the Registrar of Regulations dated March 29, 1999,

- (x) Part of Lots 13 and 14, Concession 3, East of Hurontario Street, in the City of Brampton, Regional Municipality of Peel (formerly in the Geographic Township of Chinguacousy), designated as Parts 1, 2, 3, 4, 5, 6 and 7 on a Draft Reference Plan prepared by J.D. Barnes Limited bearing Reference No. 855-293L filed in the Regional Office of the Ministry of Transportation in Downsview and identified by a stamp of the Registrar of Regulations dated March 29, 1999,

- (xi) Part of Lots 12 and 13, Concession 3, East of Hurontario Street, in the City of Brampton, Regional Municipality of Peel (formerly in the Geographic Township of Chinguacousy), designated as Parts 1, 2, 3, 4, 5, 6, 7, 8 and 9 on a Draft Reference Plan prepared by J.D. Barnes Limited bearing Reference No. 855-294L filed in the Regional Office of the Ministry of Transportation in Downsview and identified by a stamp of the Registrar of Regulations dated March 29, 1999,

- (xii) Part of Lots 12 and 13, Concession 1, East of Hurontario Street, and Block 186 (0.30 Reserve) and Block 187, Registered Plan 43M-615, and Blocks 228 and 229 (0.30 Reserve), and Blocks 230 and 231, Registered Plan 43M-614, in the City of Brampton, Regional Municipality of Peel (formerly in the Geographic Township of Toronto), designated as Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 17 on a Draft Reference Plan prepared by J.D. Barnes Limited bearing Reference No. 97-28-287-05-J filed in the Regional Office of the Ministry of Transportation in Downsview and identified by a stamp of the Registrar of Regulations dated March 29, 1999,

- (xiii) Part of Lots 12 and 13, Concession 1, West of Hurontario Street, in the City of Brampton, Regional Municipality of Peel (formerly in the Geographic Township of Chinguacousy), designated as Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 on a Draft Reference Plan prepared by J.D. Barnes Limited bearing Reference No. 97-28-287-05-K filed in the Regional Office of the Ministry of Transportation in Downsview and identified by a stamp of the Registrar of Regulations dated March 29, 1999, and

- (xiv) Block 204, Registered Plan 43M-1160 and Part of Lot 13, Concession 2, West of Hurontario Street, in the City of Brampton, Regional Municipality of Peel (formerly in the Geographic Township of Toronto), designated as Parts 3, 4, 5, 6 and 7 on a Draft Reference Plan prepared by J.D. Barnes Limited bearing Reference No. 97-28-287-05-L filed in the Regional Office of the Ministry of Transportation in Downsview and identified by a stamp of the Registrar of Regulations dated March 29, 1999.

(c) in the City of Vaughan consisting of,

- (i) Part of Lots 1 and 2, Concession 9, in the City of Vaughan, Regional Municipality of York (formerly in the Geographic Township of Vaughan), designated as Part 1 on Plan 65R-20960,
- (ii) Part of Lots 1 and 2, Concession 8 and Part of Lots 1 and 2, Concession 9, in the City of Vaughan, Regional Municipality of York (formerly in the Geographic Township of Vaughan), designated as Parts 1 and 2 on Plan 65R-20962,
- (iii) Part of Lots 1 and 2, Concession 8, in the City of Vaughan, Regional Municipality of York (formerly in the Geographic Township of Vaughan), designated as Part 1 on Plan 65R-20958,
- (iv) Part of Lots 1 and 2, Concession 8, in the City of Vaughan, Regional Municipality of York (formerly in the Geographic Township of Vaughan), designated as Part 1 on Plan 65R-20949,
- (v) Part of Lots 16 and 29, Registrar's Compiled Plan 9691, in the City of Vaughan, Regional Municipality of York (formerly in the Geographic Township of Vaughan), designated as Parts 1, 2, 3, 4, 5, 6 and 7 on Plan 65R-20977,
- (vi) Part of Lots 1, 14 and 17, Registrar's Compiled Plan 9691 and Part of Lot 8, Registrar's Compiled Plan 9831, City of Vaughan, Regional Municipality of York, designated as Parts 1, 2, 3, 4, 5 and 6 on Plan 65R-20982,
- (vii) Part of Lots 2 and 3, Concession 6, in the City of Vaughan, Regional Municipality of York (formerly in the Geographic Township of Vaughan), designated as Parts 1 and 2 on Plan 65R-20953,
- (viii) Part of Lots 3 and 4, Concession 6, in the City of Vaughan, Regional Municipality of York (formerly in the Geographic Township of Vaughan), designated as Part 1 on Plan 65R-20951,
- (ix) Part of Lots 2, 3, 4 and 5, Concession 5, in the City of Vaughan, Regional Municipality of York (formerly in the Geographic Township of Vaughan), designated as Parts 1, 2, 3, 4, 5 and 6 on Plan 65R-20961,
- (x) Part of Lots 3 and 4, Concession 5, in the City of Vaughan, Regional Municipality of York (formerly in the Geographic Township of Vaughan), designated as Part 1 on Plan 65R-20956,
- (xi) Part of Lot 3, Concession 4 and Part of Lot 13, Registered Plan 8070, in the City of Vaughan, Regional Municipality of York (formerly in the Geographic Township of Vaughan), designated as Parts 1 and 2 on Plan 65R-20976,
- (xii) Part of Lots 2, 3, 4 and 5, Concession 5, in the City of Vaughan, Regional Municipality of York (formerly in the

Geographic Township of Vaughan), designated as Parts 1, 2, 3, 4, 5, 6 and 7 on Plan 65R-20975,

- (xiii) Part of Lots 3 and 4, Concession 4, in the City of Vaughan, Regional Municipality of York (formerly in the Geographic Township of Vaughan), designated as Parts 1 and 2 on Plan 65R-20964,
- (xiv) Part of Lots 3 and 4, Concession 3, in the City of Vaughan, Regional Municipality of York (formerly in the Geographic Township of Vaughan), designated as Parts 1 and 2 on Plan 65R-20948,
- (xv) Part of Lots 3 and 4, Concession 3, in the City of Vaughan, Regional Municipality of York (formerly in the Geographic Township of Vaughan), designated as Parts 1, 2, 3 and 4 on Plan 65R-20952,
- (xvi) Part of Lots 4 and 5, Concession 3 and Part of Lot 22 and Concord Road, Registrar's Compiled Plan 10309, in the City of Vaughan, Regional Municipality of York (formerly in the Geographic Township of Vaughan), designated as Parts 1, 2, 3, 4 and 5 on Plan 65R-20950,
- (xvii) Part of Lots 7 and 8, Concession 3 and Part of Lot 22, Registrar's Compiled Plan 10309, in the City of Vaughan, Regional Municipality of York (formerly in the Geographic Township of Vaughan), designated as Parts 1, 2 and 3 on Plan 65R-20954,
- (xviii) Part of Lot 8, Concession 3 and Part of Block B, Registered Plan M-1832, in the City of Vaughan, Regional Municipality of York (formerly in the Geographic Township of Vaughan), designated as Parts 1, 2 and 3 on Plan 65R-20959,
- (xix) Part of Lots 9 and 10, Concession 2, in the City of Vaughan, Regional Municipality of York (formerly in the Geographic Township of Vaughan), designated as Parts 1 and 2 on Plan 65R-20971,
- (xx) Part of Lots 9 and 10, Concession 2, in the City of Vaughan, Regional Municipality of York (formerly in the Geographic Township of Vaughan), designated as Parts 1, 2, 3, 4 and 5 on Plan 65R-20973, and
- (xxi) Part of Lots 9 and 10, Concession 2, in the City of Vaughan, Regional Municipality of York (formerly in the Geographic Township of Vaughan), designated as Parts 1, 2, 3 and 4 on Plan 65R-20957.

(d) in the City of Vaughan and the Town of Richmond Hill consisting of,

- (i) a right-of-way of irregular shape, to accommodate a full interchange with Bathurst Street,
- (ii) a right-of-way of linear shape and approximately 125 metres in width, to accommodate no more than 10 through lanes, commencing at an interchange with Bathurst Street, and running more or less in an easterly direction to an interchange with Yonge Street,
- (iii) a right-of-way of irregular shape, to accommodate two stormwater management ponds, one on the north side of Highway 407 between Bathurst Street and the East Don River, and the other on the south side of Highway 407 between the East Don River and Yonge Street,
- (iv) a right-of-way of irregular shape on the south side of Highway 407 between the East Don River and Yonge Street, to accommodate an aboriginal cemetery, and

- (v) a right-of-way of irregular shape, to accommodate a full interchange with Yonge Street;
- (e) in the Town of Richmond Hill and the City of Markham consisting of,
 - (i) a right-of-way of linear shape and approximately 150 metres in width, to accommodate no more than 10 through lanes, commencing at an interchange with Yonge Street, and running more or less in an easterly direction, crossing the CNR line and Cedar Avenue, to an interchange with Bayview Avenue,
 - (ii) a right-of-way of irregular shape, to accommodate a full interchange with Bayview Avenue,
 - (iii) a right-of-way of linear shape and approximately 150 metres in width, to accommodate no more than 10 through lanes, continuing from an interchange with Bayview Avenue, and running more or less in an easterly direction to an interchange with Leslie Street,
 - (iv) a right-of-way of irregular shape, to accommodate three stormwater management ponds, one on the south side of Highway 407 between Bayview Avenue and German Mills Creek, a second on the south side of Highway 407 between German Mills Creek and German Mills Creek tributary, and the third on the south side of Highway 407 between German Mills Creek tributary and Leslie Street,
 - (v) a right-of-way of irregular shape, to accommodate a partial interchange with Leslie Street,
 - (vi) a right-of-way of irregular shape, to accommodate a stormwater management pond on the south side of Highway 407 between Leslie Street and Highway 404,
 - (vii) a right-of-way of linear shape and approximately 150 metres in width, to accommodate no more than 10 through lanes, continuing from an interchange with Leslie Street, and running more or less in an easterly direction to an interchange with Highway 404, and
 - (viii) a right-of-way of irregular shape, to accommodate a full interchange with Highway 404, including a stormwater management pond outside the southeast quadrant of the interchange;
- (f) in the City of Markham consisting of,
 - (i) a right-of-way of linear shape and approximately 300 metres in width, to accommodate no more than 10 through lanes, commencing at an interchange with Highway 404, and running more or less in an easterly direction to an interchange with Woodbine Avenue,
 - (ii) a right-of-way of irregular shape, to accommodate a stormwater management pond on the south side of Highway 407 between Highway 404 and Woodbine Avenue,
 - (iii) a right-of-way of irregular shape, to accommodate the current partial and ultimate full interchange with Woodbine Avenue,
 - (iv) a right-of-way of linear shape and approximately 150 metres in width, to accommodate no more than 10 through lanes, continuing from an interchange with Woodbine Avenue, and running more or less in an easterly direction, crossing Roddick Road, to an interchange with Warden Avenue,
 - (v) a right-of-way of irregular shape, to accommodate two stormwater management ponds, one on the north side of Highway 407 between Woodbine Avenue and Beaver Creek tributary, and the other on the south side of Highway 407 between Beaver Creek tributary and Warden Avenue,
 - (vi) a right-of-way of linear shape and approximately 150 metres in width, to accommodate no more than 10 through lanes, continuing from an interchange with Warden Avenue, and running more or less in an easterly direction, crossing Birchmount Road and the CNR Line, to an interchange with Kennedy Road,
 - (vii) a right-of-way of irregular shape, to accommodate the current partial and ultimate full interchange with Kennedy Road,
 - (viii) a right-of-way of linear shape and approximately 150 metres in width, to accommodate no more than 10 through lanes, continuing from an interchange with Kennedy Road, and running more or less in an easterly direction to an interchange with McCowan Road,
 - (ix) a right-of-way of irregular shape, to accommodate a stormwater management pond on the north side of Highway 407 between Kennedy Road and McCowan Road,
 - (x) a right-of-way of irregular shape, to accommodate a noise berm on the north side of Highway 407 between Kennedy Road and McCowan Road,
 - (xi) a right-of-way of irregular shape, to accommodate the current partial and ultimate full interchange with McCowan Road,
 - (xii) a right-of-way of irregular shape, to accommodate two stormwater management ponds, one on the north side of Highway 407 between McCowan Road and the Rouge River drainage channel, and the other on the north side of Highway 407 between the Rouge River drainage channel and Markham Road, and
 - (xiii) a right-of-way of linear shape and approximately 150 metres in width, to accommodate no more than 10 through lanes, continuing from an interchange with McCowan Road, and running more or less in an easterly direction, to the current intersection with the Markham Road detour and the ultimate full interchange with Markham Road;

Schedule 3

That part of the route of Highway 407,

- (a) running more or less in an easterly direction from Highway 48 in the Town of Markham to east of Regional Road 30 in the Town of Pickering, as shown on a sketch of co-ordinates that defines the route of the controlled-access highway and that is filed in the Regional Office of the Ministry of Transportation in Downsview as No. P1 and identified by a stamp of the Registrar of Regulations dated March 5, 1999; and
- (b) running more or less in an easterly direction from east of Regional Road 30 in the Town of Pickering to Highway 7 east of Brock Road in the Town of Pickering, as shown on a sketch of co-ordinates that defines the route of the controlled-access highway and that is filed in the Regional Office of the Ministry of Transportation in Downsview as No. P2 and identified by a stamp of the Registrar of Regulations dated March 5, 1999.

2. This Regulation comes into force on the day that subsection 1 (2) of the *Highway 407 Act, 1998* comes into force.

ONTARIO REGULATION 218/99
made under the
EDUCATION ACT

Made: March 30, 1999
Filed: April 1, 1999

**FIRST INSTALMENT PAYMENT OF SCHOOL
TAXES IN 1999**

1. The time for paying instalments referred to in paragraph 1 of subsection 257.11 (1) of the Act for 1999 is extended to April 30, 1999.
2. Instalments referred to in paragraph 1 of subsection 257.11 (1) of the Act for 1999 shall be paid to the Province rather than to boards.
3. This Regulation does not apply to instalments to be paid by the City of Toronto.

DAVID JOHNSON
Minister of Education and Training

Dated on March 30, 1999.

16/99

RÈGLEMENT DE L'ONTARIO 218/99
pris en application de la
LOI SUR L'ÉDUCATION

pris le 30 mars 1999
déposé le 1^{er} avril 1999

**PREMIER VERSEMENT ÉCHELONNÉ
D'IMPÔTS SCOLAIRES DE 1999**

1. La date d'échéance du versement échelonné visé à la disposition 1 du paragraphe 257.11 (1) de la Loi qui est effectué en 1999 est reporté au 30 avril 1999.
2. Le versement échelonné visé à la disposition 1 du paragraphe 257.11 (1) de la Loi qui est effectué en 1999 se fait à la province de l'Ontario plutôt qu'aux conseils.
3. Le présent règlement ne s'applique pas aux versements échelonnés qui doivent être faits par la cité de Toronto.

DAVID JOHNSON
Ministre de l'Éducation et de la Formation

Fait le 30 mars 1999.

Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1999—04—24

ONTARIO REGULATION 219/99 made under the FISH AND WILDLIFE CONSERVATION ACT, 1997

Made: April 6, 1999

Filed: April 6, 1999

Amending O. Reg. 670/98
(Open Seasons—Wildlife)Note: Ontario Regulation 670/98 has previously been amended
by Ontario Regulations 88/99 and 96/99.1. Items 2.1, 2.8 and 2.25 of the Table to Ontario Regulation
670/98 are revoked and the following substituted:

ITEM	COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
	Species	Area (Nos. refer to WMU's unless otherwise stated)	Open Season—Residents	Open Season—Non-Residents
2.1	Deer	5	From the Saturday next following September 28 to the second Friday following, in any year.	Closed Season
2.8	Deer	8	From the Saturday next following September 28 to the second Friday following, in any year.	From the Saturday next following September 28 to the second Friday following, in any year.
2.25	Deer	46, 48, 49, 50, 53A, 56, 57	From October 15 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the Sunday immediately prior to the third Monday in November to November 30, in any year.	From October 15 to the Sunday immediately prior to the first Monday in November, in any year. AND: From the Sunday immediately prior to the third Monday in November to November 30, in any year.

2. Item 2.27 of the Table to the Regulation is revoked.

JOHN SNOBELEN
Minister of Natural Resources

Dated on April 6, 1999.

17/99

ONTARIO REGULATION 220/99 made under the PLANNING ACT

Made: April 6, 1999
Filed: April 7, 1999Amending O. Reg. 196/96
(Plans of Subdivision)

Note: Since the end of 1997, Ontario Regulation 196/96 has been amended by Ontario Regulation 504/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Paragraph 6 of subsection 3 (8) of Ontario Regulation 196/96 is revoked and the following substituted:

RÈGLEMENT DE L'ONTARIO 220/99 pris en application de la LOI SUR L'AMÉNAGEMENT DU TERRITOIRE

pris le 6 avril 1999
déposé le 7 avril 1999modifiant le Règl. de l'Ont. 196/96
(Plans de lotissement)

Remarque : Depuis la fin de 1997, le Règlement de l'Ontario 199/96 a été modifié par le Règlement de l'Ontario 504/98. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1997.

1. La disposition 6 du paragraphe 3 (8) du Règlement de l'Ontario 199/96 est abrogée et remplacée par ce qui suit :

6. The Executive Vice-President, Law and Development, of Ontario Power Generation Inc.
- 6.1 The secretary of Ontario Hydro Services Company Inc.
2. **This Regulation comes into force on April 15, 1999.**

AL LEACH
Minister of Municipal Affairs and Housing

Dated on April 6, 1999.

17/99

6. Le vice-président directeur, «Law and Development», de la société appelée Ontario Power Generation Inc.
- 6.1 Le secrétaire de la société appelée Ontario Hydro Services Company Inc.
2. **Le présent règlement entre en vigueur le 15 avril 1999.**

AL LEACH
Ministre des Affaires municipales et du Logement

Fait le 6 avril 1999.

ONTARIO REGULATION 221/99
made under the
PLANNING ACT

Made: April 6, 1999
Filed: April 7, 1999

Amending O. Reg. 198/96
(Official Plans and Plan amendments)

Note: Since the end of 1997, Ontario Regulation 198/96 has been amended by Ontario Regulation 506/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Paragraph 7 of subsection 2 (8) of Ontario Regulation 198/96 is revoked and the following substituted:

7. The Executive Vice-President, Law and Development, of Ontario Power Generation Inc.
- 7.1 The secretary of Ontario Hydro Services Company Inc.

2. This Regulation comes into force on April 15, 1999.

AL LEACH
Minister of Municipal Affairs and Housing

Dated on April 6, 1999.

17/99

RÈGLEMENT DE L'ONTARIO 221/99
pris en application de la
LOI SUR L'AMÉNAGEMENT DU TERRITOIRE

pris le 6 avril 1999
déposé le 7 avril 1999

modifiant le Règl. de l'Ont. 198/96
(Plans officiels et modifications de plans officiels)

Remarque : Depuis la fin de 1997, le Règlement de l'Ontario 198/96 a été modifié par le Règlement de l'Ontario 506/98. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1997.

1. La disposition 7 du paragraphe 2 (8) du Règlement de l'Ontario 198/96 est abrogée et remplacée par ce qui suit :

7. Le vice-président directeur, «Law and Development», de la société appelée Ontario Power Generation Inc.
- 7.1 Le secrétaire de la société appelée Ontario Hydro Services Company Inc.

2. Le présent règlement entre en vigueur le 15 avril 1999.

AL LEACH
Ministre des Affaires municipales et du Logement

Fait le 6 avril 1999.

ONTARIO REGULATION 222/99
made under the
PLANNING ACT

Made: April 6, 1999
Filed: April 7, 1999

Amending O. Reg. 199/96
(Zoning By-laws, Holding By-laws and Interim Control By-laws)

Note: Since the end of 1997, Ontario Regulation 199/96 has been amended by Ontario Regulation 507/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Paragraph 8 of subsection 3 (8) of Ontario Regulation 199/96 is revoked and the following substituted:

RÈGLEMENT DE L'ONTARIO 222/99
pris en application de la
LOI SUR L'AMÉNAGEMENT DU TERRITOIRE

pris le 6 avril 1999
déposé le 7 avril 1999

modifiant le Règl. de l'Ont. 199/96
(Règlements municipaux de zonage, règlements municipaux portant utilisation différée et règlements municipaux d'interdiction provisoire)

Remarque : Depuis la fin de 1997, le Règlement de l'Ontario 196/96 a été modifié par le Règlement de l'Ontario 507/98. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1997.

1. La disposition 8 du paragraphe 3 (8) du Règlement de l'Ontario 196/96 est abrogée et remplacée par ce qui suit :

8. The Executive Vice-President, Law and Development, of Ontario Power Generation Inc.

8.1 The secretary of Ontario Hydro Services Company Inc.

2. This Regulation comes into force on April 15, 1999.

AL LEACH
Minister of Municipal Affairs and Housing

Dated on April 6, 1999.

17/99

ONTARIO REGULATION 223/99
made under the
HIGHWAY TRAFFIC ACT

Made: March 30, 1999
Filed: April 7, 1999

Amending Reg. 619 of R.R.O. 1990
(Speed Limits)

Note: Since the end of 1997, Regulation 619 has been amended by Ontario Regulations 26/98, 27/98, 28/98, 109/98, 206/98, 207/98, 208/98, 443/98, 511/98, 512/98, 541/98, 718/98, 2/99 and 203/99. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1997.

1. (1) Paragraph 1 of Part 4 of Schedule 41 to Regulation 619 of the Revised Regulations of Ontario, 1990 is revoked.

(2) Paragraphs 1 and 2 of Part 5 of Schedule 41 to the Regulation are revoked.

(3) Paragraphs 2 and 3 of Part 6 of Schedule 41 to the Regulation are revoked.

2. (1) Paragraphs 1 and 2 of Part 4 of Schedule 44 to the Regulation are revoked.

(2) Paragraphs 1, 2, 3 and 4 of Part 5 of Schedule 44 to the Regulation are revoked.

(3) Paragraphs 1, 2, 3 and 4 of Part 6 of Schedule 44 to the Regulation are revoked.

3. (1) Paragraphs 3 and 4 of Part 4 of Schedule 46 to the Regulation are revoked.

(2) Paragraph 1 of Part 5 of Schedule 46 to the Regulation is revoked.

4. Paragraph 4 of Part 6 of Schedule 53 to the Regulation is revoked.

5. Paragraph 1 of Part 5 of Schedule 66 to the Regulation is revoked.

6. (1) Paragraph 2 of Part 5 of Schedule 133 to the Regulation is revoked.

8. Le vice-président directeur, «Law and Development», de la société appelée Ontario Power Generation Inc.

8.1 Le secrétaire de la société appelée Ontario Hydro Services Company Inc.

2. Le présent règlement entre en vigueur le 15 avril 1999.

AL LEACH
Ministre des Affaires Municipales et du Logement

Fait le 6 avril 1999.

(2) Paragraphs 1, 2 and 3 of Part 6 of Schedule 133 to the Regulation are revoked.

7. Paragraph 1 of Part 6 of Schedule 134 to the Regulation is revoked.

8. Paragraphs 1 and 2 of Part 6 of Schedule 136 to the Regulation are revoked.

9. Paragraphs 1 and 2 of Part 6 of Schedule 138 to the Regulation are revoked.

10. Paragraph 1 of Part 6 of Schedule 139 to the Regulation is revoked.

11. Paragraphs 1 and 2 of Part 6 of Schedule 215 to the Regulation are revoked.

12. Paragraph 1 of Part 6 of Schedule 238 to the Regulation is revoked.

TONY P. CLEMENT
Minister of Transportation

Dated on March 30, 1999.

17/99

ONTARIO REGULATION 224/99
made under the
HIGHWAY TRAFFIC ACT

Made: March 30, 1999
Filed: April 7, 1999

Amending Reg. 619 of R.R.O. 1990
(Speed Limits)

Note: Since the end of January 1997, Regulation 619 has been amended by Ontario Regulations 26/98, 27/98, 28/98, 109/98, 206/98, 207/98, 208/98, 443/98, 511/98, 512/98, 541/98, 718/98, 2/99, 203/99 and 223/99. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1997.

1. (1) Paragraphs 1, 31, 41 and 42 of Part 2 of Schedule 21 to Regulation 619 of the Revised Regulations of Ontario, 1990 are revoked.

(2) Paragraphs 7 and 8 of Part 3 of Schedule 21 to the Regulation are revoked.

(3) Paragraphs 1 and 15 of Part 4 of Schedule 21 to the Regulation are revoked.

(4) Paragraph 1 of Part 6 of Schedule 21 to the Regulation is revoked.

2. (1) Paragraph 1 of Part 4 of Schedule 35 to the Regulation is revoked.

(2) Paragraphs 1, 2, 3 and 4 of Part 5 of Schedule 35 to the Regulation are revoked.

3. (1) Paragraphs 1, 2, 3 and 4 of Part 4 of Schedule 36 to the Regulation are revoked.

(2) Paragraph 1 of Part 5 of Schedule 36 to the Regulation is revoked.

(3) Paragraph 1 of Part 6 of Schedule 36 to the Regulation is revoked.

4. (1) Paragraphs 2 and 3 of Part 4 of Schedule 38 to the Regulation are revoked.

(2) Paragraphs 2, 6, 7 and 8 of Part 5 of Schedule 38 to the Regulation are revoked.

(3) Paragraph 1 of Part 6 of Schedule 38 to the Regulation is revoked.

5. (1) Paragraph 5 of Part 4 of Schedule 48 to the Regulation is revoked.

(2) Paragraph 2 of Part 5 of Schedule 48 to the Regulation is revoked.

6. (1) Paragraphs 1 and 2 of Part 4 of Schedule 50 to the Regulation are revoked.

(2) Paragraphs 1 and 2 of Part 5 of Schedule 50 to the Regulation are revoked.

(3) Paragraphs 1 and 4 of Part 6 of Schedule 50 to the Regulation are revoked.

7. (1) Paragraph 1 of Part 5 of Schedule 55 to the Regulation is revoked.

(2) Paragraph 1 of Part 6 of Schedule 55 to the Regulation is revoked.

8. Paragraph 1 of Part 6 of Schedule 66 to the Regulation is revoked.

9. Schedule 193 to the Regulation is revoked.

TONY P. CLEMENT
Minister of Transportation

Dated on March 30, 1999.

17/99

ONTARIO REGULATION 225/99
made under the
HIGHWAY TRAFFIC ACT

Made: March 30, 1999
Filed: April 7, 1999

Amending Reg. 619 of R.R.O. 1990
(Speed Limits)

Note: Since the end of January 1997, Regulation 619 has been amended by Ontario Regulations 26/98, 27/98, 28/98, 109/98, 206/98, 207/98, 208/98, 443/98, 511/98, 512/98, 541/98, 718/98, 2/99, 203/99, 223/99 and 224/99. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1997.

1. (1) Paragraphs 19, 20, 26, 27 and 30 of Part 5 of Schedule 1 to Regulation 619 of the Revised Regulations of Ontario, 1990 are revoked.

(2) Paragraphs 1 and 2 of Part 6 of Schedule 1 to the Regulation are revoked.

2. Paragraph 2 of Part 4 of Schedule 9 to the Regulation is revoked.

3. (1) Paragraphs 1, 3, 4 and 5 of Part 5 of Schedule 17 to the Regulation are revoked.

(2) Paragraph 1 of Part 6 of Schedule 17 to the Regulation is revoked.

4. (1) Paragraphs 3, 4 and 5 of Part 4 of Schedule 18 to the Regulation are revoked.

(2) Paragraph 2 of Part 6 of Schedule 18 to the Regulation is revoked.

5. (1) Paragraph 2 of Part 4 of Schedule 34 to the Regulation is revoked.

(2) Paragraph 1 of Part 6 of Schedule 34 to the Regulation is revoked.

6. Paragraph 2 of Part 5 of Schedule 36 to the Regulation is revoked.

7. Paragraphs 2, 3 and 4 of Part 4 of Schedule 37 to the Regulation are revoked.

8. (1) Paragraphs 1 and 4 of Part 4 of Schedule 38 to the Regulation are revoked.

(2) Paragraph 10 of Part 5 of Schedule 38 to the Regulation is revoked.

9. (1) Paragraphs 1 and 2 of Part 4 of Schedule 39 to the Regulation are revoked.

(2) Paragraphs 1, 2 and 4 of Part 5 of Schedule 39 to the Regulation are revoked.

(3) Paragraph 1 of Part 6 of Schedule 39 to the Regulation is revoked.

10. (1) Paragraphs 1, 2, 3 and 4 of Part 4 of Schedule 48 to the Regulation are revoked.

(2) Paragraph 1 of Part 5 of Schedule 48 to the Regulation is revoked.

11. (1) Paragraph 3 of Part 5 of Schedule 50 to the Regulation is revoked.

(2) Paragraphs 2 and 3 of Part 6 of Schedule 50 to the Regulation are revoked.

12. Paragraph 3 of Part 6 of Schedule 106 to the Regulation is revoked.

13. (1) Paragraph 1 of Part 3 of Schedule 115 to the Regulation is revoked.

(2) Paragraph 1 of Part 4 of Schedule 115 to the Regulation is revoked.

14. Paragraph 1 of Part 5 of Schedule 178 to the Regulation is revoked.

TONY P. CLEMENT
Minister of Transportation

Dated on March 30, 1999.

17/99

Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1999—05—01

ONTARIO REGULATION 226/99 made under the FISH AND WILDLIFE CONSERVATION ACT, 1997

Made: April 13, 1999

Filed: April 13, 1999

Amending O. Reg. 670/98
(Open Seasons—Wildlife)

Note: Ontario Regulation 670/98 has previously been amended
by Ontario Regulations 88/99, 96/99 and 219/99.

1. Item 1.6 of the Table to Ontario Regulation 670/98 is
revoked and the following substituted:

ITEM	COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
	Species	Area (Nos. refer to WMUs unless otherwise stated)	Open Season— Residents	Open Season— Non-Residents
1.6	Moose	7B, 9B, 11A, 12B, 13, 14	From the Saturday closest to September 17 to the third Friday following, in any year.	From the Saturday closest to September 17 to the third Friday following, in any year.

JOHN SNOBELEN
Minister of Natural Resources

Dated on April 13, 1999.

18/99

ONTARIO REGULATION 227/99 made under the PLANNING ACT

Made: April 12, 1999

Filed: April 13, 1999

DELEGATION OF AUTHORITY—CHISHOLM, MOONBEAM, THE NORTH SHORE

1. The Minister's authority to give consents under section 53 of the
Act is delegated to,

- (a) the council of The Corporation of the Township of Chisholm
with respect to applications for consent made before December
21, 1998 whose file numbers are set out in Schedule 1;
- (b) the council of The Corporation of the Municipality of Moon-
beam with respect to applications for consent made before
April 15, 1999 whose file numbers are set out in Schedule 2;
- (c) the council of The Corporation of the Township of The North
Shore with respect to applications for consent made before
April 15, 1999 whose file numbers are set out in Schedule 3.

2. (1) If any authority delegated under this Regulation is further
delegated to a committee of council or to an appointed officer under
subsection 5 (1) of the Act, the council shall forward to the Minister a
certified copy of the delegating by-law within 15 days of its passing.

(2) The delegation under this Regulation is not terminated by reason
that the condition set out in subsection (1) is not complied with.

3. This Regulation comes into force on April 15, 1999.

Schedule 1

Township of Chisholm

48C 980018

Schedule 2

Municipality of Moonbeam

56C 980002

56C 980003

56C 980005

Schedule 3

Township of The North Shore

57C 970011

AL LEACH
Minister of Municipal Affairs and Housing

Dated on April 12, 1999.

18/99

ONTARIO REGULATION 228/99made under the
PLANNING ACT

Made: April 12, 1999

Filed: April 13, 1999

**DELEGATION OF AUTHORITY—BRUCE MINES,
MOONBEAM, THE NORTH SHORE**

1. All authority of the Minister under the following provisions is delegated to the council of each of the municipalities listed in the Schedule with respect to all applications made on or after April 15, 1999 for land situate in the municipality:

1. Subsection 50 (18) of the Act, to give approvals.
2. Section 53 of the Act, to give consents.
3. Section 57 of the Act, to issue a certificate of validation.

2. (1) If any authority delegated under section 1 is further delegated to a committee of council or to an appointed officer under subsection 5 (1) of the Act, the council shall forward to the Minister a certified copy of the delegating by-law within 15 days of its passing.

(2) The delegations of authority set out in this Regulation are not terminated by reason only that the condition set out in subsection (1) is not complied with.

3. This Regulation comes into force on April 15, 1999.

Schedule

1. The Town of Bruce Mines.
2. The Municipality of Moonbeam.
3. The Township of The North Shore.

AL LEACH
Minister of Municipal Affairs and Housing

Dated on April 12, 1999.

18/99

ONTARIO REGULATION 229/99made under the
PLANNING ACT

Made: April 12, 1999

Filed: April 13, 1999

**DELEGATION OF AUTHORITY—TOWNSHIP OF
SABLES-SPANISH RIVERS**

1 (1) The authority of the Minister under the following provisions is delegated to the council of the Township of Sables-Spanish Rivers with respect to all applications made on or after April 15, 1999 for land in that municipality:

1. Subsection 50 (18) of the Act, to give approvals.
2. Section 51 of the Act, to approve a plan of subdivision.
3. Section 57 of the Act, to issue a certificate of validation.
4. Section 50 of the *Condominium Act*, to approve or exempt a condominium description.
5. Subsection 305 (2) of the *Municipal Act*.
6. Subsection 88 (3) of the *Registry Act*.
7. Section 146 of the *Land Titles Act*.

(2) The authority of the Minister under subsection 297 (10) of the *Municipal Act* is delegated to the council of the Township of Sables-Spanish Rivers with respect to all by-laws passed on or after April 15, 1999 for land in that municipality.

2. (1) If any authority delegated under section 1 is further delegated to a committee of council or to an appointed officer under subsection 5 (1) of the Act, the council shall forward to the Minister a certified copy of the delegating by-law within 15 days of its passing.

(2) The delegations of authority set out in this Regulation are not terminated by reason only that the condition set out in subsection (1) is not complied with.

3. This Regulation comes into force on April 15, 1999.

AL LEACH
Minister of Municipal Affairs and Housing

Dated on April 12, 1999.

18/99

ONTARIO REGULATION 230/99made under the
MUNICIPAL ACT

Made: April 8, 1999

Filed: April 13, 1999

TAX MATTERS—DELEGATED MUNICIPALITIES

1. This Regulation applies to The Regional Municipality of Peel and The Regional Municipality of York.

**PART I
COMMON PROVISIONS**

2. In this Part,
- “Region” includes The Regional Municipality of Peel and The Regional Municipality of York.
3. The following apply for the purposes of the 1998 taxation year:
1. The delegation of authority for the lower-tier municipalities in each Region to establish tax ratios is confirmed.
 2. Despite paragraph 4 of section 447.20 of the Act, as made applicable under section 447.52 of the Act, the portion of the upper-tier levy or any special upper-tier levy under section 366 of the Act that was raised in each specified lower-tier municipality as provided under subsection 6 (2) of Ontario Regulation 407/98 shall be distributed to the upper-tier municipality by each lower-tier municipality.
 3. Despite section 363 of the Act, the tax ratios established by the lower-tier municipalities in the each Region may be used to establish 1998 tax liabilities.
 4. (1) For the purposes of the 1999 and 2000 taxation years, the 1998 by-law passed by each Region implementing section 364 of the Act shall continue to apply in that Region unless the council of the Region and the council of every lower-tier municipality in the Region, by by-law passed before April 30, 1999 for the 1999 taxation year or January 31, 2000 for the 2000 taxation year, agree that the by-law shall no longer apply for the taxation year.
 - (2) If a by-law under subsection (1) is passed for a taxation year by the councils of a Region and its lower tier municipalities, the Region shall notify the Minister of Finance within 14 days after the date that the final by-law is passed.
 5. If the 1998 by-law referred to in section 4 continues to apply in a Region for the purposes of the 1999 or 2000 taxation year, the portion of the Region’s general levy under section 366 of the Act, net of payments in lieu of taxes as defined in section 361.1 of the Act, shall be raised in each of its lower-tier municipalities on the basis of the municipality’s share of taxable assessment, as set out on the assessment roll for 1999 or 2000, as returned, without any reduction provided under section 368.1 of the Act, multiplied by the transition ratio for the Region prescribed by Ontario Regulation 385/98.
 6. For the purposes of section 369 of the Act, a Region may requisition a sum from each lower-tier municipality not exceeding 50 per cent of the amount requisitioned from the lower-tier municipality by the Region for upper-tier purposes for the previous year.

**PART II
REGIONAL MUNICIPALITY OF PEEL**

7. In this Part,
- “Region” means The Regional Municipality of Peel.
8. For 1998 and 1999, Division B of Part XXII.2 of the Act applies in the Region, subject to the following modifications:
1. For the purposes of determining the adjustments to be made under paragraph 5 of subsection 447.47 (1) of the Act for 1998, the amount referred to in subsection 11 (1) of Ontario Regulation 7/99 shall be determined by multiplying the municipal tax adjustment by the 1997-level taxes with phase-in where,

- “Municipal tax adjustment” means the fraction set out in paragraph 2 for the property class and municipality the property class is in; and
- “1997-level taxes with phase-in” means the 1997-level taxes for municipal and school taxes determined under paragraph 2 of subsection 447.47 (1) of the Act as adjusted under paragraph 3 of subsection 447.47 (1) of the Act.
2. The municipal tax adjustments for 1998 for the purposes of paragraph 1 are set out in the following Table:

TABLE
1998 PRESCRIBED MUNICIPAL TAX CHANGE
ADJUSTMENTS FOR THE REGION OF PEEL

Municipality	Fraction for Property Class		
	Multi-residential	Commercial	Industrial
Mississauga, C	0.006812	0.003051	0.003239
Brampton, C	0.004837	0.002274	0.002351
Caledon T	0.002071	-0.011377	-0.024373

3. For the purposes of paragraph 2 of subsection 447.51 (4) of the Act, the percentage for a property in the commercial property class shall be 6.25 per cent for 1998 and 10 per cent for 1999.
4. For the purposes of paragraph 2 of subsection 447.51 (4) of the Act, the percentage for a property in the industrial property class shall be 6.25 per cent for 1998 and 10 per cent for 1999.
5. Despite subsection 25 (3) of Ontario Regulation 7/99, the percentage determined under paragraph 2 of subsection 447.51 (4) of the Act for 1998 tax decrease phase-ins,
 - i. for the 1998 taxation year, shall not be increased or decreased to eliminate any surplus or deficiency, and
 - ii. for the 1999 taxation year, shall be increased or decreased to eliminate any surplus or deficiency determined for the 1998 and 1999 taxation years.
9. (1) Despite paragraph 2 of section 3, if the 1998 by-law referred to in section 4 continues to apply in the Region for the purposes of the 1999 or 2000 taxation year, the apportionments set out in this section apply for that year, in addition to the apportionment of the general levy provided under section 5.
 - (2) The amount of the special upper-tier levy sufficient for the payment of the estimated expenditures adopted for waste management purposes shall be apportioned according to each lower-tier municipality’s share of estimate of the tonnage of waste during the year, adjusted to take into account the difference between its actual and estimated tonnage of waste in the previous year.
 - (3) In subsection (2),

“tonnage of waste”, with respect to a lower-tier municipality, means the tonnage of waste generated within that municipality and disposed of or otherwise dealt with by the Region’s waste management system.
 - (4) The following amounts shall be apportioned between the City of Mississauga and the City of Brampton on the basis of each municipality’s share of taxable assessment, as set out on the assessment roll for each year, as returned, without any reduction provided under section 368.1 of the Act, multiplied by the transition ratio for the Region prescribed by Ontario Regulation 385/98:
 1. The amount of the special upper-tier levy sufficient for the payment of the estimated expenditures adopted for the Peel Regional Police.

2. For 1998 only, the amount of the Regional Service Equalization Payment to the Town of Caledon.

(5) The amount of the general upper-tier levy sufficient for the payment of the estimated expenditures payable to the Ontario Provincial Police shall be apportioned to the Town of Caledon.

PART III REGIONAL MUNICIPALITY OF YORK

10. In this Part,

"Region" means The Regional Municipality of York.

11. For 1998, 1999 and 2000, Division B of Part XXII.2 of the Act applies in the Region, subject to the following modifications:

1. For the purposes of determining the adjustments under paragraph 5 of subsection 447.47 (1) of the Act for 1998, the amount referred to in subsection 11 (1) of Ontario Regulation 7/99 shall be determined by multiplying the municipal tax adjustment by the 1997-level taxes with phase-in where,

"Municipal tax adjustment" means the fraction set out in the Table to this Regulation for the property class and the municipality the property class is in; and

"1997-level taxes with phase-in means the 1997-level taxes for municipal and school taxes determined under paragraph 2 of subsection 447.47 (1) of the Act as adjusted under paragraph 3 of that subsection.

2. For the purposes of paragraph 2 of subsection 447.51 (4) of the Act, the percentage shall be determined as if "the property class" referred to the commercial property class and the industrial property class and the sum of the amounts set out in Table 5 of Ontario Regulation 7/99 for the commercial classes and for the industrial classes for the Region shall be used in calculating the percentage.

TABLE

1998 PRESCRIBED MUNICIPAL TAX CHANGE
ADJUSTMENTS FOR THE REGION OF YORK

Municipality	Fraction for property class		
	Multi-Residential	Commercial	Industrial
Aurora, T	.01891	.01797	.01923
East Gwillimbury, T	-.00458	.00838	.00885
Georgina, T	.07642	.04201	.04702
King, Tp	.04362	.02722	.02957
Markham, T	.02294	.03649	.04006
Newmarket, T	.02317	.01933	.02037
Richmond Hill, T	-.01750	.00356	.00386
Vaughan, C	.04341	.02670	.02803
Whitchurch-Stouffville, T	.02104	.01907	.01986

ERNIE EVES
Minister of Finance

Dated on April 8, 1999.

18/99

ONTARIO REGULATION 231/99 made under the DRUG INTERCHANGEABILITY AND DISPENSING FEE ACT

Made: February 24, 1999
Filed: April 14, 1999

Amending Reg. 935 of R.R.O. 1990
(General)

Note: Since the end of 1997, Regulation 935 has been amended by Ontario Regulations 220/98, 593/98, 613/98 and 73/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Section 1 of Regulation 935 of the Revised Regulations of Ontario, 1990 is amended by adding the following subsection:

(2) For the purposes of the Regulation, the item 493 of Part III of the Formulary shall be deemed to read as follows:

493	5mg Tab	Prinivil	MSD	.4715
	00839388	Apo-Lisinopril	APX	.6735
	09853685			.4715

18/99

ONTARIO REGULATION 232/99 made under the HEALTH INSURANCE ACT

Made: April 14, 1999
Filed: April 15, 1999

Amending Reg. 552 of R.R.O. 1990
(General)

Note: Since the end of 1997, Regulation 552 has been amended by Ontario Regulations 2/98, 44/98, 87/98, 111/98, 145/98, 146/98, 147/98, 172/98, 236/98, 375/98, 376/98, 377/98, 378/98, 478/98, 479/98, 528/98, 567/98, 575/98, 58/99, 59/99, 60/99, 85/99, 108/99, 177/99, 178/99 and 201/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. (1) Subsection 22.11 (1) of Regulation 552 of the Revised Regulations of Ontario, 1990 is amended by striking out "or" at the end of clause (b), by adding "or" at the end of clause (c) and by adding the following clause:

- (d) when the trustee in bankruptcy or receiver and manager appointed over a medical laboratory (the "trustee") sells assets of the medical laboratory.

(2) Section 22.11 of the Regulation is amended by adding the following subsection:

- (4.1) In the case of the sale of assets described in clause (1) (d),

- (a) the base year amount for the medical laboratory whose base year amount is to be increased under the terms of the agreement of purchase and sale is increased by an amount equal to the base year amount of the medical laboratory whose assets are being sold; and

- (b) the base year amount for the medical laboratory whose assets are being sold is reduced to zero.

(3) Subsection 22.11 (5) of the Regulation is revoked and the following substituted:

(5) The base year amount is transferred as of April 1 in the fiscal year in which the event described in subsection (2), (3), (4) or (4.1) occurs.

(6) Subsection (2) does not apply to the transfer of interests in facilities that are part of a sale of assets described in clause (1) (d).

2. This Regulation shall be deemed to have come into force on March 1, 1999.

18/99

ONTARIO REGULATION 233/99
made under the
ONTARIO MUNICIPAL SUPPORT GRANTS ACT

Made: April 14, 1999
Filed: April 16, 1999

Revoking O. Reg. 134/96
(Standards)

1. Ontario Regulations 134/96 and 388/96 are revoked.

RÈGLEMENT DE L'ONTARIO 233/99
pris en application de la
LOI SUR LES SUBVENTIONS DE SOUTIEN AUX
MUNICIPALITÉS DE L'ONTARIO

pris le 14 avril 1999
déposé le 16 avril 1999

abrogeant le Règl. de l'Ont. 134/96
(Normes)

1. Les Règlements de l'Ontario 134/96 et 388/96 sont abrogés.

18/99

Publications under the Regulations Act

Publications en vertu de la Loi sur les règlements

1995—05—08

ONTARIO REGULATION 234/99

made under the

MUNICIPAL ACT

Made: April 19, 1999
Filed: April 20, 1999

Amending O. Reg. 7/99

(Part XXII.2—Capping of Taxes for Certain Property Classes for
1998, 1999 and 2000—10/5/5 per cent cap)

Note: Ontario Regulation 7/99 has previously been amended by
Ontario Regulation 80/99.

1. Section 19 of Ontario Regulation 7/99 is amended by adding
the following subsection:

(2) April 30, 1999 is prescribed as the later deadline for the purposes
of subparagraph 3 ii of subsection 447.44 (5) of the Act.

2. Section 21 of the Regulation is amended by adding the follow-
ing subsection:

(2) Where Table 4 sets out factors for a municipality that ceases to
exist or is created after January 1, 1998, those factors shall be taken into
account for that municipality only with respect to the period that the
municipality is in existence.

3. (1) Subsection 24 (2) of the Regulation is amended by striking
out “commercial classes” in the second and third lines and substitut-
ing “commercial or industrial classes in 1998”.

(2) Subsections 24 (3) to (7) of the Regulation are revoked and the
following substituted:

(3) For the purposes of subsection (2), the Municipal proxy for a
property shall be determined in accordance with the following:

$$\text{municipal proxy} = \frac{1997 \text{ municipal tax rate}}{1997 \text{ assessment (class)}} \times \frac{1998 \text{ assessment (class)}}{1997 \text{ assessment (class)}} \times 1,000$$

where,

“1997 municipal tax rate” means A divided by B where,

A = the total municipal taxes for 1997 on all property that, for 1998,

- (i) is in one of the commercial classes or industrial classes,
- (ii) is not subject to a tax reduction under section 368.1 of the
Act, and
- (iii) in 1997, was in one or more predecessor municipalities, and

B = the assessment set out in the assessment roll for 1998, as
returned, for those properties;

“1997 assessment (class)” means,

- (a) the assessment, as set out in the assessment roll for 1997 as most
recently revised for property that,

- (i) for 1998, is in one of the commercial or industrial classes
and not subject to a tax reduction under section 368.1 of the
Act, and

- (ii) in 1997, was in territory without municipal organization, or

- (b) if there was no such assessment for 1997, the assessment, as set
out in the assessment roll for 1998 as returned for the property,
multiplied by the factor identified in Table 4 for the unorganized
portion of the municipality and property class the property is in;

“1998 assessment (class)” means the assessment, as set out in the
assessment roll for 1998, as returned, for property that,

- (a) is in one of the commercial or industrial classes not subject to a
tax reduction under section 368.1 of the Act, and
- (b) was, in 1997, in territory without municipal organization.

(4) For the purposes of subsections 447.47 (1) and 447.59 (1) of the
Act, the 1997 residential mill rate for property that is in one of the
commercial or industrial classes and that is subject to a tax reduction
under section 368.1 of the Act shall be,

- (a) the 1997 residential mill rate determined under subsection (5) if
the territory without municipal organization in which the prop-
erty was located contained property in the multi-residential
property class; and
- (b) 85 per cent of the commercial mill rate determined under subsec-
tion (2) otherwise.

(5) For the purposes of subsections 447.47 (1) and 447.59 (1) of the
Act, the 1997 residential mill rate for a property in the multi-residential
property class in 1998 shall be determined in accordance with the
following:

$$\text{1997 residential mill rate} = \frac{\text{1997 residential mill rate (school)}}{\text{1997 residential mill rate (school)}} + 1/3 \times \text{Municipal proxy}$$

where,

“1997 residential mill rate (school)” means the residential mill rate for
school purposes on the property for 1997;

“Municipal proxy” means the mill rate determined under subsec-
tion (6).

(6) For the purposes of subsection (5), the Municipal proxy for a
property shall be determined in accordance with the following:

$$\text{municipal proxy} = \frac{1997 \text{ municipal tax rate}}{1997 \text{ assessment (class)}} \times \frac{1998 \text{ assessment (class)}}{1997 \text{ assessment (class)}} \times 1,000$$

where,

“1997 municipal tax rate” equals A divided by B where,

A = the total municipal taxes for 1997 on all property that, for 1998,
is in the multi-residential property class and that was, in 1997,
in territory without municipal organization, and

B = the assessment set out in the assessment roll for 1998, as returned, for those properties;

"1997 assessment (class)" means,

- (a) the assessment, as set out in the assessment roll for 1997 as most recently revised, for property that, in 1998, is in the multi-residential property class and that, in 1997 was in territory without municipal organization, or
- (b) if there is no assessment for 1997, the assessment, as set out in the assessment roll for 1998, as returned, for such property multiplied by the factor identified in Table 4 for the unorganized portion of the municipality for the multi-residential property class;

"1998 assessment (class)" means the assessment, as set out in the assessment roll for 1998, as returned, for property in the multi-residential property class that was, in 1997, in territory without municipal organization.

(3) The definition of "weighted assessment" in subsection 24 (8) of the Regulation is revoked.

4. The Regulation is amended by adding the following sections:

ADJUSTMENTS TO REDUCE TAXES FOR MUNICIPAL AND SCHOOL PURPOSES ON CERTAIN PROPERTY IN THE COMMERCIAL CLASSES IN THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

26. (1) This section provides for adjustments, in addition to the reductions provided for under Part II, to be made under paragraph 4 of subsection 447.47 (1) of the Act in respect of reductions in taxes for school purposes for 1998 in The Regional Municipality of Hamilton-Wentworth for a property in respect of which there is a 1998 tax decrease phase-in under section 447.51 of the Act.

(2) The reduction shall be an amount equal to 13.6632 per cent of the difference between the unadjusted 1997-level taxes and the uncapped 1998 taxes, both as defined in subsection 447.51 (5) of the Act.

27. (1) This section provides for adjustments, in addition to the adjustments provided under Part IV, to be made under paragraph 5 of subsection 447.47 (1) of the Act in respect of reductions in taxes for municipal purposes in The Regional Municipality of Hamilton-Wentworth for a property in respect of which there is a 1998 tax decrease phase-in under section 447.51 of the Act for the 1998, 1999 or 2000 taxation year.

(2) The reduction shall be an amount equal to,

- (a) if the phase-in is for the 1998 taxation year, 10.2474 per cent of the difference between the unadjusted 1997-level taxes and the uncapped 1998 taxes, both as defined in subsection 447.51 (5) of the Act;
- (b) if the phase-in is for the 1999 taxation year, 17.079 per cent of the difference between the unadjusted 1997-level taxes and the uncapped 1998 taxes, both as defined in subsection 447.51 (5) of the Act; and
- (c) if the phase-in is for the 2000 taxation year, 13.6632 per cent of the difference between the unadjusted 1997-level taxes and the uncapped 1998 taxes, both as defined in subsection 447.51 (5) of the Act.

ATTRIBUTABLE COMMERCIAL ASSESSMENT IN MANITOUWADGE AND MARATHON

28. (1) This section provides, for the Town of Marathon and the Township of Manitowadge, for the addition to the frozen assessment listing under subsection 447.5 (4) of the Act, of amounts that are equivalent to the attributable commercial assessment determined for each of those municipalities for 1998 and 1999 under subsection 3 (2) of the *Municipal Extra-Territorial Tax Act*.

(2) The commercial assessment on the frozen assessment listing of the Township of Manitowadge and the Town of Marathon for 1998 shall include the properties that are owned by the persons listed in the first column of the following Table and that are subject to the *Municipal Extra-Territorial Tax Act* and the amount of the assessment for those properties shall be equal to the amounts set out opposite to those properties:

TABLE

Owners of Property	Manitowadge	Marathon
Homestake Canada/Teck Corp	1,908,022	18,633,970
Battle Mountain Canada Ltd.	9,147,263	966,724

(3) The commercial assessment on the frozen assessment listing of the Township of Manitowadge and the Town of Marathon for 1999 shall include the properties that are owned by the persons listed in the first column of the following Table and that are subject to the *Municipal Extra-Territorial Tax Act* and the amount of the assessment for those properties shall be equal to the amounts set out opposite to those properties:

TABLE

Owners of Property	Manitowadge	Marathon
Homestake Canada/Teck Corp	2,065,480	18,448,639
Battle Mountain Canada Ltd.	9,299,979	979,940

29. If the percentage determined under paragraph 2 of subsection 447.51 (4) of the Act is less than zero, it shall be deemed to be zero.

DEADLINE FOR APPEALS UNDER SECTION 447.26 OF THE ACT FOR 1998

30. For the purposes of section 447.26 of the Act, as it applies under section 447.42 of the Act, an application may be made in respect of the 1998 taxation year until February 29, 2000 and the council of the municipality or, if the council has passed a by-law under subsection 442 (2) of the Act, the Assessment Review Board shall hear and dispose of every application in respect of that taxation year not later than April 30, 2000.

5. Table 1 of the Regulation is revoked and the following substituted:

TABLE 1

EDUCATION TAX CUTS

Municipality	Commercial classes (amounts in dollars)	Industrial classes (amounts in dollars)
Township of Atikokan	6,450	13,735
City of Belleville		184,910

Municipality	Commercial classes (amounts in dollars)	Industrial classes (amounts in dollars)
County of Brant		80,578
City of Brantford		205,408
City of Brockville		219,685
Township of Casey		33
Township of Casimir, Jennings, and Appleby		25,407
Municipality of Chatham-Kent		137,886
Town of Cobalt		53
Township of Coleman		3,289
City of Cornwall		155,974
Township of Dorian	5,508	
City of Dryden		113,751
Regional Municipality of Durham		1,046,863
Township of Ear Falls		6,025
County of Elgin		108,184
City of Elliot Lake		27,433
Town of Espanola		133,280
County of Essex		266,649
Township of Field		131
Town of Fort Frances		45,369
Frontenac Management Board		3,860
Separated Town of Gananoque		19,428
City of Guelph		376,201
Region of Haldimand-Norfolk		225,766
Region of Halton		190,896
Region of Hamilton-Wentworth	122,289	2,486,180
Township of Harley		114
Town of Iroquois Falls		23,246
Township of James	437	
Town of Kapuskasing		44,282
Town of Kenora		31,045
City of Kingston		146,642
County of Lambton		375,991
County of Lanark		59,757
Town of Latchford	25	
United Counties of Leeds and Grenville		157,383
County of Lennox and Addington		87,476

Municipality	Commercial classes (amounts in dollars)	Industrial classes (amounts in dollars)
City of London		633,933
Town of Longlac		18,562
Township of Manitouwadge		2,058
Town of Marathon		73,937
Township of Matachewan		4
Township of Nairn and Hyman		6,541
Town of New Liskeard	7,167	8,045
Region of Niagara		1,417,759
City of North Bay		57,779
County of Northumberland		219,127
Municipality of Oliver Paipoonge		4
City of Orillia		97,911
Region of Ottawa-Carleton		215,035
City of Owen Sound		117,939
County of Oxford		252,118
City of Pembroke		30,258
City of Peterborough		150,622
United Counties of Prescott and Russell		27,548
Separated Town of Prescott		19,223
City of Quinte West		17,318
Town of Rainy River		16
Town of Red Lake		1,760
Township of Red Rock		76,343
County of Renfrew		182,065
Township of Schreiber	2,908	
Township of Shuniah	2,046	4,745
County of Simcoe		300,287
Separated Town of Smiths Falls		37,700
Town of Smooth Rock Falls		36,717
City of St. Thomas		53,565
United Counties of Stormont, Dundas and Glengarry		181,543
City of Stratford		81,249
Town of Sturgeon Falls		37,356
Region of Sudbury		5,041
Municipality of Temagami		343

Municipality	Commercial classes (amounts in dollars)	Industrial classes (amounts in dollars)
Township of Terrace Bay		13,011
City of Thunder Bay		295,112
City of Timmins		12,041
Region of Waterloo		998,247
Township of White River	168	
City of Windsor		1,035,222

6. (1) Table 2 of the Regulation is amended by inserting the following municipality following the row for "Kingston, C" and by inserting the following factors opposite to it:

Municipality	Multi-residential property class	Commercial property class	Industrial property class
Orillia, C	-0.051756	0.004129	0.003112

(2) Table 2 of the Regulation is amended by striking out the row for "Champlain, Tp" under the heading "Prescott and Russell, C" and substituting the following:

Municipality	Multi-residential property class	Commercial property class	Industrial property class	Large Industrial property class
Champlain, Tp	-0.020178	0.023390	0.023490	0.023485

(3) Table 2 of the Regulation is amended by inserting the following municipalities following the row for "South Dundas, TP" under the heading "Stormont, Dundas and Glengarry, Co" and by inserting the following factors opposite to them:

Municipality	Multi-residential property class	Commercial property class	Industrial property class	Large Industrial property class
Algoma, D				
Blind River, T	-0.129399	0.062387	0.059757	
Iron Bridge, V		0.033082	0.032277	
Cochrane, D				
Fauquier-Strickland, Tp		-0.001389	0.131410	0.094504

(4) Table 2 of the Regulation is amended by inserting the following municipality following the heading "Kenora, D" and by inserting the following factors opposite to it:

Municipality	Multi-residential property class	Commercial property class	Industrial property class
Ear Falls, T	-0.095816	-0.002763	-0.002809

(5) Table 2 of the Regulation is amended by inserting the following municipality following the row for "Central Manitoulin, Tp—Unorganized Territory" under the heading "Manitoulin, D" and by inserting the following factors opposite to it:

Municipality	Multi-residential property class	Commercial property class	Industrial property class
Northeastern Manitoulin and the Islands T	0.093715	0.150173	0.026955

(6) Table 2 of the Regulation is amended by striking out the row for "Temagami, M" under the heading "Nipissing, D" and substituting the following:

Municipality	Multi-residential property class	Commercial property class	Industrial property class
Temagami, M	0.381000	0.020000	0.251000

(7) Table 2 of the Regulation is amended by adding the following municipality at the end of the Table and by inserting the following factors opposite to it:

Municipality	Multi-residential property class	Commercial property class	Industrial property class	Large Industrial property class
Thunder Bay, D				
Geraldton, T	-0.067561	0.033757	0.033598	

7. Table 3 of the Regulation is amended by adding the following items:

Municipality	Amount (in dollars)
COUNTIES	
Frontenac Board of Management	5,112,000
Township of Central Frontenac	39,000
Township of Frontenac Islands	11,000
Township of North Frontenac	70,000
County of Leeds and Grenville	8,236,000
Village of Athens	-14,000
Village of Cardinal	-98,000
Village of Westport	-8,000
Village of Merrickville-Wolford	-38,000
Township of Augusta	-66,000
Township of Edwardsburgh	-34,000
Township of Elizabethtown	38,000
Township of Front of Escott	-31,000
Township of Kitley	6,000
Township of Front of Leeds and Lansdowne	116,000
Township of Rear of Leeds and Lansdowne	-36,000
Township of Front of Yonge	-6,000
Township of Rear of Yonge and Escott	-20,000
Township of North Grenville	88,000
Township of Rideau Lakes	103,000

Municipality	Amount (in dollars)
County of Perth	4,792,000
Town of North Perth	-77,000
Township of Perth East	164,000
Township of Perth South	-63,000
Township of West Perth	-139,000
County of Peterborough	11,024,000
Village of Lakefield	83,000
Township of Asphodel-Norwood	94,000
Township of Burleigh-Anstruther-Chandos	127,000
Township of Cavan-Millbrook-North Monaghan	232,000
Township of Douro-Dummer	167,000
Township of Galway-Cavendish and Harvey	868,000
Township of Havelock-Belmont-Methuen	417,000
Township of Otonabee-South Monaghan	140,000
Township of Smith-Ennismore	1,051,000
Prescott & Russell County	11,839,000
City of Clarence-Rockland	310,000
Town of Hawkesbury	-475,000
Village of Casselman	-30,000
Township of East Hawkesbury	-10,000
Township of Russell	256,000
Township of Alfred and Plantagenet	16,000
Municipality of the Nation	-30,000
Stormont, Dundas & Glengarry County	9,947,000
Township of North Dundas	245,000
Township of North Glengarry	-79,000
Township of South Glengarry	-3,000
Township of North Stormont	85,000
Township of South Stormont	-191,000
District of Kenora	
City of Dryden	638,000
District of Rainy River	
Township of Lake of the Woods	35,000
District of Sudbury	
Town of Espanola	764,000
District of Thunder Bay	
Municipality of Oliver Paipoonge	635,000
District of Temiskaming	
Township of Coleman	42,000

8. (1) Table 4 of the Regulation is amended by inserting the following municipalities following the row for "Red Lake Tp" under the heading "Kenora D" and by inserting the following factors opposite to them:

Municipality	Multi-residential property class	Commercial property class	Industrial property class	Large Industrial property class
Red Lake T—Red Lake Tp.	0.118851	0.068680	0.039874	
Red Lake T—Golden Tp	0.108348	0.069577	0.084881	0.100149
Red Lake T—Unorg		0.089777		0.229781

(2) Table 4 of the Regulation is amended by inserting the following municipalities following the row for "Sandfield Tp" under the heading "Manitoulin D" and by inserting the following factors opposite to them:

Municipality	Commercial property class	Industrial property class
Central Manitoulin Tp—Carnarvon Tp	0.650865	0.831059
Central Manitoulin Tp—Sandfield Tp	0.494747	
Central Manitoulin Tp—Unorg	0.823663	0.320513

(3) Table 4 of the Regulation is amended by striking out the row for "Northeastern Manitoulin and the Islands T" and the row for "Northeastern Manitoulin and the Islands T—Little" under the heading "Manitoulin D" and substituting the following:

Municipality	Multi-residential property class	Commercial property class	Industrial property class
Northeastern Manitoulin and the Islands T	0.646207	0.768147	0.893846

(4) Table 4 of the Regulation is amended by inserting the following municipality following the row for "Burpee and Mills Tp—Burpee Tp" under the heading "Manitoulin, D" and by inserting the following factor opposite to it:

Municipality	Commercial property class
Burpee and Mills Tp—Mills Tp	0.813156

(5) Table 4 of the Regulation is amended by inserting the following municipalities following the row for "Airy Tp" under the heading "Nipissing D" and by inserting the following factors opposite to them:

Municipality	Commercial property class	Industrial property class
South Algonquin Tp—Airy Tp	0.124117	0.324184
South Algonquin Tp—Unorg	0.014956	0.029026

(6) The first column of Table 4 of the Regulation is amended,

(a) by striking out "Temagami Tp—Temagami Tp" under the heading "Nipissing D" and substituting "Municipality of Temagami—Temagami TP"; and

- (b) by striking out "Temagami Tp—Unorganized pt" under the heading "Nipissing D" and substituting "Municipality of Temagami—Unorg".

(7) Table 4 of the Regulation is amended by inserting the following municipalities following the row for "Seguin Tp—Christie Tp" under the bold heading "Parry Sound D" and by inserting the following factors opposite to them:

Municipality	Multi-residential property class	Commercial property class	Industrial property class
Seguin Tp—Unorg	0.341293	0.621472	0.891231

(8) Table 4 of the Regulation is amended by striking out "McMurrich Tp—McMurrich Tp" under the heading "Nipissing D" and substituting "McMurrich Tp—Monteith Tp".

(9) Table 4 of the Regulation is amended by inserting the following territory following the row for "Magnetawan Tp—Magnetawan V" under the heading "Parry Sound D" and by inserting the following factor opposite to it:

Municipality	Commercial property class
Magnetawan Tp—Unorg	0.478122

(10) Table 4 of the Regulation is amended by striking out the row for "Sables-Spanish Rivers Tp" under the heading "Sudbury D" and substituting the following:

Municipality	Multi-residential property class	Commercial property class	Industrial property class
Sable-Spanish Rivers Tp—The Spanish River Tp		0.039696	

Municipality	Multi-residential property class	Commercial property class	Industrial property class
Sable-Spanish Rivers Tp—Massey T		0.060836	
Sable-Spanish Rivers Tp—Webbwood T	0.056135	0.053427	
Sable-Spanish Rivers Tp—Unorg		0.250303	1.000000

(11) Table 4 of the Regulation is amended by inserting the following municipality following the row for "Espanola T/ Merritt Tp—Espanola T" under the heading "Sudbury D" and by inserting the following factor opposite to it:

Municipality	Commercial property class
Espanola T/Merritt Tp—Unorg	0.990146

(12) Table 4 of the Regulation is amended by inserting the following municipality following the row for "Nairn and Hyman Tp—Nairn Tp" under the heading "Sudbury D" and by inserting the following factor opposite to it:

Municipality	Commercial property class
Nairn and Hyman Tp—Hyman T	1.174156

ERNIE EVES
Minister of Finance

Dated on April 19, 1999.

19/99

ONTARIO REGULATION 235/99 made under the PLANNING ACT

Made: April 21, 1999
Filed: April 22, 1999

Amending O. Reg. 525/97
(Exemption from Approval—Official Plan Amendments)

Note: Ontario Regulation 525/97 has previously been amended by Ontario Regulation 344/98.

1. The Schedule to Ontario Regulation 525/97 is amended by adding the following:

Municipality	Date
County of Bruce	May 15, 1999
County of Grey	May 15, 1999
Municipality of Campbellford-Seymour	May 15, 1999
Town of Cobourg	May 15, 1999
Town of Gananoque	May 15, 1999

RÈGLEMENT DE L'ONTARIO 235/99 pris en application de la LOI SUR L'AMÉNAGEMENT DU TERRITOIRE

pris le 21 avril 1999
déposé le 22 avril 1999

modifiant le Règl. de l'Ont. 525/97
(Exemption de l'approbation—modification d'un plan officiel)

Remarque : Le Règlement de l'Ontario 525/97 a été modifié antérieurement par le Règlement de l'Ontario 344/98.

1. L'annexe du Règlement de l'Ontario 525/97 est modifiée par adjonction de ce qui suit :

Municipalité	Date
Comté de Bruce	15 mai 1999
Comté de Grey	15 mai 1999
Municipalité de Campbellford-Seymour	15 mai 1999
Ville de Cobourg	15 mai 1999
Ville de Gananoque	15 mai 1999

Municipality	Date	Municipalité	Date
Town of Greater Napanee	May 15, 1999	Ville de Greater Napanee	15 mai 1999
Town of Port Hope	May 15, 1999	Ville de Port Hope	15 mai 1999
Town of Prescott	May 15, 1999	Ville de Prescott	15 mai 1999
Town of St. Marys	May 15, 1999	Ville de St. Marys	15 mai 1999
Town of Smiths Falls	May 15, 1999	Ville de Smiths Falls	15 mai 1999
Township of Loyalist	May 15, 1999	Canton de Loyalist	15 mai 1999
Township of Mono	May 15, 1999	Canton de Mono	15 mai 1999
Township of Percy	May 15, 1999	Canton de Percy	15 mai 1999

2. This Regulation comes into force on May 15, 1999.

2. Le présent règlement entre en vigueur le 15 mai 1999.

AL LEACH
Minister of Municipal Affairs and Housing

AL LEACH
Ministre des Affaires municipales et du Logement

Dated on April 21, 1999.

Fait le 21 avril 1999.

19/99

ONTARIO REGULATION 236/99
made under the
OCCUPATIONAL HEALTH AND SAFETY ACT

Made: April 21, 1999
Filed: April 23, 1999

Amending Reg. 854 of R.R.O. 1990
(Mines and Mining Plants)

Note: Regulation 854 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Subsection 5 (3) of Regulation 854 of the Revised Regulations of Ontario, 1990 is amended by striking out the portion before clause (a) and substituting the following:

(3) The employer shall notify an inspector,

.

2. Subsection 17 (2) of the Regulation is amended by striking out "Workers' Compensation Board" in the fourth line and substituting "Workplace Safety and Insurance Board".

3. Section 35 of the Regulation is revoked and the following substituted:

35. (1) If a flow of flammable gas is encountered in a mine or in an enclosed building housing a diamond drill on the surface and the concentration of the flammable gas is unknown,

(a) all sources of ignition in the affected area shall be eliminated;

(b) all electrical equipment in the affected area shall be de-energized;

(c) the affected area shall be evacuated;

(d) precautions shall be taken to prevent persons from entering the affected area inadvertently;

(e) a supervisor shall be notified;

(f) the affected area shall be tested by a competent person; and

(g) the affected area shall be designated as a fire hazard area.

(2) Subject to subsections (3), (4) and (5), work may resume if the concentration of flammable gas is below 1.0 per cent.

(3) If the concentration is less than 0.25 per cent and the affected area is tested periodically to ensure that the level of concentration is known, no precautions are required.

(4) If the concentration is 0.25 per cent or greater but not more than 0.5 per cent, all of the following precautions shall be taken:

1. The supervisor shall provide written instructions of any special precautions.

2. The instructions, if any, shall be communicated to the workers.

3. The affected area shall be designated as a fire hazard area.

4. The affected area shall be tested at least once per shift before work begins and, again, on release of any further flow of gas.

5. A flammable gas detector shall remain in the affected area for the purpose of continued testing.

(5) If the concentration is 0.5 per cent or greater but not more than 1.0 per cent, all of the precautions set out in subsection (4) shall be taken and the electrical equipment, diesel engines, tools and other material used in the workplace shall be designed to function safely in a flammable gas atmosphere.

(6) If concentrations of flammable gas exceed 1.0 per cent in an area, all of the following precautions shall be taken:

1. All sources of ignition in the affected area shall be eliminated.
2. All electrical equipment in the affected area shall be de-energized.
3. All persons, other than competent persons necessary to measure the concentration of flammable gas and to make ventilation changes, shall be removed from the affected area.

(7) In mines where flammable gas is known to occur, workers who are underground or diamond drillers who are on the surface shall be advised of,

- (a) the probability of encountering a flow of the gas; and
- (b) the measures and procedures prescribed in this section.

(8) For the purposes of this section, the concentration of flammable gas means the percentage, by volume, of flammable gas in the general atmosphere.

4. Subsection 122 (1) of the Regulation is revoked and the following substituted:

(1) Explosives stored or kept at a mine or mining plant shall be used only for authorized purposes and if not so used, returned to the supplier of the explosives.

5. (1) Subsection 186 (3) of the Regulation is revoked and the following substituted:

(3) The owner shall ensure that a copy of the statement is posted at the mine site in a location readily visible to workers and that a copy is given to the joint health and safety committee or the health and safety representative, if any.

(2) Paragraph 2 of subsection 186 (5) of the Regulation is revoked and the following substituted:

2. If it was installed on or after October 15, 1991 and before the day on which O. Reg. 236/99 came into force, National Standard CAN/CSA-B44-M90, "Safety Code for Elevators".
3. Otherwise, National Standard CAN/CSA-B44-94, "Safety Code for Elevators".

6. Section 187 of the Regulation is revoked and the following substituted:

187. A dumbwaiter, escalator or moving walk shall meet the following standard:

1. If it was installed before April 1, 1994, CSA Standard No. B44-1975, "Safety Code for Elevators, Dumbwaiters, Escalators and Moving Walks".
2. If it was installed on or after April 1, 1994 and before the day on which O. Reg. 236/99 came into force, National Standard CAN/CSA-B44-M90, "Safety Code for Elevators".
3. Otherwise, National Standard CAN/CSA-B44-94, "Safety Code for Elevators".

7. (1) Clause 197 (12) (a) of the Regulation is amended by striking out "designed and operated" in the first line and substituting "designed, maintained and operated".

(2) Subsection 197 (13) of the Regulation is amended by striking out "The owner" in the first line and substituting "The employer of workers operating the raise climber".

(3) Subsection 197 (14) of the Regulation is revoked.

8. Section 231 of the Regulation is amended by adding the following subsection:

(2) Before the initial use of a work platform, the employer shall give notice to the joint health and safety committee or to the health and safety representative, if any.

9. Section 237 of the Regulation is amended by adding the following subsection:

(10) Before the initial use of a multi-deck stage, the employer shall give notice to the joint health and safety committee or to the health and safety representative, if any.

10. (1) Paragraph 6 of subsection 248 (2.1) of the Regulation is revoked and the following substituted:

6. The hoist parts, brakes, clutch, brake-clutch interlocks and depth indicators.

(2) Section 248 of the Regulation is amended by adding the following subsection:

(2.3) An examination of the clutch and brake-clutch interlocks under subsection (2.1) shall include an operational check to ensure their performance.

11. Clause 286 (a) of the Regulation is amended by striking out "Regulation 780" and substituting "Regulation 833".

19/99

ONTARIO REGULATION 237/99
made under the
LONDON-MIDDLESEX ACT, 1992

Made: April 21, 1999

Filed: April 23, 1999

LAND UNDER SECTION 33 OF THE ACT

1. Subsection 33 (1) of the Act does not apply to the land described in section 2, if the land is used for a dry industrial use.

2. Section 1 of this Order, applies to the following land in the City of London in the County of Middlesex:

1. Lots 1, 2, 3 and 4 on Plan 33M-177 registered in the Land Registry Office for the Land Titles Division of Middlesex (No. 33).
2. Part of Lot 24 in Concession II designated as Part 1 on Reference Plan 33R-4937 deposited in the Land Registry Division of Middlesex (No. 33).
3. Part of Lot 25 in Concession IV designated as Part 1 on Reference Plan 33R-4296 deposited in the Land Registry Office for the Land Registry Division of Middlesex (No. 33).

AL LEACH
Minister of Municipal Affairs and Housing

Dated on April 21, 1999.

19/99

ONTARIO REGULATION 238/99

made under the
ONTARIO WORKS ACT, 1997

Made: April 21, 1999
Filed: April 23, 1999

Amending O. Reg. 134/98
(General)

Note: Ontario Regulation 134/98 has previously been amended by Ontario Regulations 227/98, 272/98, 546/98, 547/98, 165/99 and 170/99.

1. (1) Paragraph 4 of subsection 55 (1) of Ontario Regulation 134/98 is amended by striking out "not exceeding \$799" in the first line and substituting "not exceeding the amount determined under subsection (3)".

(2) Section 55 of the Regulation is amended by adding the following subsection:

(3) The maximum amount payable under paragraph 4 of subsection (1) to establish a new residence is,

- (a) \$1,500, if the recipient has one or more dependent children; or**
- (b) \$799, in all other cases.**

19/99

RÈGLEMENT DE L'ONTARIO 238/99

pris en application de la
**LOI DE 1997 SUR LE PROGRAMME
ONTARIO AU TRAVAIL**

pris le 21 avril 1999
déposé le 23 avril 1999

modifiant le Règl. de l'Ont. 134/98
(Dispositions générales)

Remarque : Le Règlement de l'Ontario 134/98 a été modifié antérieurement par les Règlements de l'Ontario 227/98, 272/98, 546/98, 547/98, 165/99 et 170/99.

1. (1) La disposition 4 du paragraphe 55 (1) du Règlement de l'Ontario 134/98 est modifiée par substitution de «qui ne dépasse pas le montant déterminé aux termes du paragraphe (3)» à «qui ne dépasse pas 799 \$» à la première ligne.

(2) L'article 55 du Règlement est modifié par adjonction du paragraphe suivant :

(3) Le montant maximal payable aux termes de la disposition 4 du paragraphe (1) pour élire domicile est :

- a) 1 500 \$, si le bénéficiaire a au moins un enfant à charge;**
- b) 799 \$, dans tous les autres cas.**

ONTARIO REGULATION 239/99
made under the
**ONTARIO DISABILITY SUPPORT
PROGRAM ACT, 1997**

Made: April 21, 1999
Filed: April 23, 1999

Amending O. Reg. 222/98
(General)

Note: Ontario Regulation 222/98 has previously been amended by Ontario Regulations 273/98, 581/98, 582/98, 167/99 and 171/99.

1. (1) Paragraph 4 of subsection 44 (1) of Ontario Regulation 222/98 is amended by striking out "not exceeding \$799" in the first line and substituting "not exceeding the amount determined under subsection (1.1)".

(2) Section 44 of the Regulation is amended by adding the following subsection:

(1.1) The maximum amount payable under paragraph 4 of subsection (1) to establish a new residence is,

- (a) \$1,500, if the recipient has one or more dependent children; or**
- (b) \$799, in all other cases.**

19/99

RÈGLEMENT DE L'ONTARIO 239/99
pris en application de la
**LOI DE 1997 SUR LE PROGRAMME ONTARIEN DE
SOUTIEN AUX PERSONNES HANDICAPÉES**

pris le 21 avril 1999
déposé le 23 avril 1999

modifiant le Règl. de l'Ont. 222/98
(Dispositions générales)

Remarque : Le Règlement de l'Ontario 222/98 a été modifié antérieurement par les Règlements de l'Ontario 273/98, 581/98, 582/98, 167/99 et 171/99.

1. (1) La disposition 4 du paragraphe 44 (1) du Règlement de l'Ontario 222/98 est modifiée par substitution de «qui ne dépasse pas le montant déterminé aux termes du paragraphe (1.1)» à «qui ne dépasse pas 799 \$» à la première ligne.

(2) L'article 44 du Règlement est modifié par adjonction du paragraphe suivant:

(1.1) Le montant maximal payable aux termes de la disposition 4 du paragraphe (1) pour élire domicile est :

- a) 1 500 \$, si le bénéficiaire a au moins un enfant à charge;**
- b) 799 \$, dans tous les autres cas.**

ONTARIO REGULATION 240/99**made under the
FAMILY BENEFITS ACT**

Made: April 21, 1999

Filed: April 23 1999

Amending Reg. 366 of R.R.O. 1990
(General)

Note: Since the end of 1997, Regulation 366 has been amended by Ontario Regulations 114/98, 138/98, 230/98, 271/98 and 168/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. (1) Subsection 35 (1) of Regulation 366 of the Revised Regulations of Ontario, 1990 is amended by striking out "or not more than \$799" in the second and third lines.

(2) Section 35 of the Regulation is amended by adding the following subsection:

(2.1) The amount paid to a recipient under this section for the establishment of a permanent residence in the community shall not exceed,

(a) \$1,500, if the recipient has one or more dependent children; or

(b) \$799, in all other cases.

(3) Subsection 35 (3) of the Regulation is revoked and the following substituted:

(3) The total amount paid to a recipient under this section in any 12-month period shall not exceed,

(a) \$1,500, if the recipient has one or more dependent children; or

(b) \$799, in all other cases.

19/99

ONTARIO REGULATION 241/99
made under the
LOBBYISTS REGISTRATION ACT, 1998

Made: April 21, 1999

Filed: April 23, 1999

Amending O. Reg. 722/98
(General)

Note: Ontario Regulation 722/98 has not been previously been amended.

1. Ontario Regulation 722/98 is amended by adding the following French version:

RÈGLEMENT DE L'ONTARIO 241/99
pris en application de la
**LOI DE 1998 SUR L'ENREGISTREMENT
DES LOBBYISTES**

pris le 21 avril 1999
déposé le 23 avril 1999modifiant le Règl. de l'Ont. 722/98
(Dispositions générales)

Remarque : Le Règlement de l'Ontario 722/98 n'a pas été modifié antérieurement.

1. Le Règlement de l'Ontario 722/98 est modifié par adjonction de la version française suivante :

DISPOSITIONS GÉNÉRALES**DROITS**

1. (1) Les droits exigibles aux termes du présent règlement sont versés au registraire.

(2) Des droits sont exigibles aux termes des articles 2, 3 et 4 à l'égard des déclarations qui sont déposées sur papier ou par télécopieur.

(3) Des droits ne sont pas exigibles aux termes des articles 2, 3 et 4 à l'égard des déclarations qui sont déposées sous forme électronique au moyen d'Internet.

2. Tout lobbyiste-conseil verse des droits de 150 \$ lorsqu'il dépose une déclaration aux termes de l'article 4 de la Loi auprès du registraire.

3. Tout lobbyiste salarié verse des droits de 150 \$ lorsqu'il dépose une déclaration aux termes de l'article 5 de la Loi auprès du registraire.

4. Tout premier dirigeant d'une organisation qui dépose une déclaration aux termes de l'article 6 de la Loi verse des droits de 75 \$ pour chaque lobbyiste salarié qui est à l'emploi de l'organisation au moment du dépôt de la déclaration.

DÉFINITION D'UN LOBBYISTE SALARIÉ

5. (1) Le présent article s'applique à l'égard de la définition de «lobbyiste salarié» au paragraphe 5 (7) de la Loi.

(2) Les activités visées par la définition sont considérées comme une partie importante des fonctions de tout employé qui leur consacre au moins 20 pour cent de son emploi du temps au travail.

(3) Le pourcentage doit être établi en fonction des activités que l'employé exerce pendant trois mois.

6. (1) Le présent article s'applique à l'égard de la définition de «lobbyiste salarié» au paragraphe 6 (5) de la Loi.

(2) Pour l'application de l'alinéa a) de la définition, les pressions qu'un employé exerce pour le compte de l'organisation sont considérées comme une partie importante de ses fonctions s'il leur consacre au moins 20 pour cent de son emploi du temps au travail.

(3) Pour l'application de l'alinéa b) de la définition, les pressions qu'exercent l'ensemble des employés pour le compte de l'organisation sont considérées comme une partie importante des fonctions d'un employé si elles représentent au moins 20 pour cent de l'emploi du temps au travail d'un employé à plein temps.

(4) Le pourcentage prévu au paragraphe (2) ou (3) doit être établi en fonction des activités que le ou les employés exercent pendant trois mois.

19/99

ONTARIO REGULATION 242/99
made under the
OFFICIAL NOTICES PUBLICATION ACT

Made: April 21, 1999
Filed: April 23, 1999

Amending Reg. 862 of R.R.O. 1990
(Rates)

Note: Since the end of 1997, Regulation 862 has been amended by Ontario Regulation 576/98. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. Regulation 862 of the Revised Regulations of Ontario, 1990 is amended by adding the following French version:

TARIFS

1. (1) Les tarifs suivants s'appliquent à la publication d'articles dans la *Gazette de l'Ontario* :

1. Pour une première insertion :

- i. 22,50 \$ pour les 25 premiers millimètres ou moins d'espace-colonne,
- ii. 5,60 \$ pour chaque tranche additionnelle de six millimètres ou moins d'espace-colonne jusqu'au 100^e millimètre inclusivement,
- iii. 5,50 \$ pour chaque tranche additionnelle de six millimètres ou moins d'espace-colonne après le 100^e millimètre et jusqu'au 476^e millimètre inclusivement.

2. Dans chaque année civile, après qu'a été atteint un total de 476 millimètres, un tarif global de 54,10 \$ pour chaque tranche additionnelle de 119 millimètres (soit un quart de page).

3. Pour chaque insertion multiple commandée en même temps que la première insertion, la moitié du tarif payable aux termes de la disposition 1 ou 2, selon le cas.

(2) Le montant suivant doit être payé sur présentation d'un article aux fins de publication :

- 1. 22,50 \$ pour la première insertion.

RÈGLEMENT DE L'ONTARIO 242/99
pris en application de la
LOI SUR LA PUBLICATION DES AVIS OFFICIELS

pris le 21 avril 1999
déposé le 23 avril 1999

modifiant le Règl. 862 des R.R.O. de 1990
(Tarifs)

Remarque : Depuis la fin de 1997, le Règlement 862 a été modifié par le Règlement de l'Ontario 576/98. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1997.

1. Le Règlement 862 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction de la version française suivante :

(3) Le solde exigible à l'égard de la publication d'un article doit être payé sur réception d'un relevé de compte de l'Imprimeur de la Reine.

2. (1) La *Gazette de l'Ontario* se vend au tarif de 2,90 \$ le numéro et de 126,50 \$ pour un abonnement de 52 semaines.

(2) Les tarifs prévus au paragraphe (1) sont payables à l'avance.

REMBOURSEMENTS

3. (1) La personne qui paie à l'avance pour une première insertion ou une insertion additionnelle a droit à un remboursement si, selon le cas :

- a) le coût réel de la première insertion ou de l'insertion additionnelle est inférieur au montant payé à l'avance;
- b) la demande de publication d'un article dans la *Gazette de l'Ontario* est retirée avant l'envoi à l'impression du numéro hebdomadaire dans lequel l'article aurait été publié.

(2) La personne qui a payé le tarif d'abonnement de 52 semaines à la *Gazette de l'Ontario* a le droit, sur remise d'un avis écrit, d'annuler son abonnement et de recevoir un remboursement égal à la différence entre le tarif d'abonnement payé et le coût total des numéros hebdomadaires, selon le tarif au numéro, qu'elle a reçus avant l'annulation.

(3) Le remboursement prévu au paragraphe (1) ou (2) n'est pas effectué s'il est inférieur à 5 \$.

19/99

ONTARIO REGULATION 243/99
made under the
ONTARIO CASINO CORPORATION ACT, 1993

Made: April 21, 1999
Filed: April 23, 1999

Amending O. Reg. 322/94
(General)

Note: Ontario Regulation 322/94 has not previously been amended.

1. Ontario Regulation 322/94 is amended by adding the following French version:

RÈGLEMENT DE L'ONTARIO 243/99
pris en application de la
**LOI DE 1993 SUR LA SOCIÉTÉ
DES CASINOS DE L'ONTARIO**

pris le 21 avril 1999
déposé le 23 avril 1999

modifiant le Règl. de l'Ont. 322/94
(Dispositions générales)

Remarque : Le Règlement de l'Ontario 322/94 n'a pas été modifié antérieurement.

1. Le Règlement de l'Ontario 322/94 est modifié par adjonction de la version française suivante :

DISPOSITIONS GÉNÉRALES**COMITÉS**

1. (1) Le comité créé en vertu du paragraphe 8 (5) de la Loi se compose d'au moins cinq et d'au plus sept membres.

(2) Le conseil d'administration de la Société nomme au comité :

a) d'une part, un membre de la commission de services policiers de la municipalité;

b) d'autre part, un membre du conseil de la municipalité.

(3) Après la consultation auprès de la collectivité qu'il juge appropriée, le conseil d'administration de la Société nomme les autres membres du comité.

(4) Le mandat d'un membre du comité est d'au plus trois ans et peut être renouvelé une fois.

(5) Le conseil d'administration de la Société désigne un membre du comité à la présidence et un autre à la vice-présidence.

PAIEMENTS AU TRÉSOR

2. (1) La Société verse au Trésor une somme égale à 20 pour cent des recettes qu'elle tire des activités qu'elle exerce aux termes de la Loi, après avoir payé les prix en argent aux joueurs.

(2) La Société effectue les paiements prévus au paragraphe (1) chaque semaine, selon les recettes de la semaine précédente.

19/99

ONTARIO REGULATION 244/99
made under the
ONTARIO LOTTERY CORPORATION ACT

Made: April 21, 1999
Filed: April 23, 1999

Amending O. Reg. 81/98
(Lottery Schemes)

Note: Ontario Regulation 81/98 has not previously been amended.

1. Ontario Regulation 81/98 is amended by adding the following French version:

LOTÉRIES

1. Les définitions qui suivent s'appliquent au présent règlement.

«règles du jeu» Les règles établies aux termes de l'article 2. («game rules»)

«vendeur» Toute personne que la Société autorise à vendre des billets de loterie ou d'autres moyens de participation à une loterie particulière. («vendor»)

2. La Société établit les règles du jeu qui régissent la mise sur pied et l'administration de chaque loterie, y compris les loteries promotionnelles.

3. (1) La Société peut :

a) d'une part, limiter la participation d'une personne ou d'un groupe de personnes à toute loterie;

b) par les moyens et aux conditions qu'elle juge appropriés, suspendre, retirer ou annuler tout ou partie d'une loterie, ou procéder à un rappel à son propos, pendant sa durée, y compris la période applicable de réclamation des lots.

(2) Si la Société agit en vertu de l'alinéa (1) b), sa responsabilité envers une personne se limite à la somme que celle-ci a versée à un vendeur pour participer à la loterie.

(3) Aucune somme n'est payable aux termes du paragraphe (2) à moins que le billet ou l'autre preuve de participation ou de tentative de participation qu'exige la Société ne lui soit retourné.

4. La Société conserve un exemplaire des règles du jeu de chaque loterie à son siège social et met à la disposition de quiconque le lui demande un exemplaire des règles du jeu concernées.

RÈGLEMENT DE L'ONTARIO 244/99
pris en application de la
LOI SUR LA SOCIÉTÉ DES LOTÉRIES DE L'ONTARIO

pris le 21 avril 1999
déposé le 23 avril 1999

modifiant le Règl. de l'Ont. 81/98
(Loteries)

Remarque : Le Règlement de l'Ontario 81/98 n'a pas été modifié antérieurement.

1. Le Règlement de l'Ontario 81/98 est modifié par adjonction de la version française suivante :

5. (1) Les règles du jeu régissent les loteries et lient tous les participants et les vendeurs.

(2) Pour participer à une loterie, tout participant doit consentir à être lié par les règles du jeu.

6. (1) La province de l'Ontario ainsi que la Société et ses filiales ne sont pas tenues de remettre, dans une loterie, un lot réel ou présumé si cela risque d'entraîner le dépassement du montant total des lots offerts dans la loterie, tel qu'il est prescrit dans les règles du jeu.

(2) Le paragraphe (1) s'applique malgré toute déclaration à l'effet contraire, implicite ou explicite, dans une annonce, sur un billet de loterie ou sur une autre preuve de participation à une loterie.

7. À l'exception de la Société, de ses filiales et des vendeurs, nul ne doit vendre au public un moyen de participation à une loterie.

8. À moins d'y être autorisé par la Société, aucun vendeur ne doit vendre un billet de loterie ou un autre moyen de participation à une loterie, directement ou indirectement, à un prix autre que ce qui suit :

a) dans le cas d'un billet de loterie, la valeur nominale indiquée sur le billet;

b) dans le cas d'une loterie vidéo ou d'une autre forme de loterie électronique, le montant qui figure sur l'appareil.

9. (1) Sauf désignation contraire de sa part à l'égard d'une loterie particulière, la Société crée et maintient une provision pour lots d'un montant total égal à la somme des lots offerts dans chaque loterie.

(2) Seuls les lots à remettre aux joueurs peuvent être prélevés sur la provision pour lots.

(3) La valeur pécuniaire des lots offerts qui ne sont pas des lots en argent correspond au coût qu'engage la Société pour ces lots, tel qu'il est calculé par elle.

10. (1) Aucune personne n'a le droit de réclamer un lot dans une loterie si, selon le cas :

- a) la personne n'est ou n'était pas admissible à participer à la loterie;
- b) le billet ou l'autre preuve de participation ou de tentative de participation n'a pas été émis ou payé, est illisible, mutilé, altéré ou contrefait ou constitue un faux, en totalité ou en partie;
- c) le billet ou l'autre preuve de participation ou de tentative de participation est défectueux, imprimé incorrectement, produit par erreur ou incomplet.

(2) Pour obtenir un lot, le participant à la loterie doit :

- a) convaincre la Société qu'il est gagnant;
- b) autoriser la Société à publier dans tout média son nom, son adresse et une photo récente de lui, sans réclamer quoi que ce soit de celle-ci à l'égard des droits de radiodiffusion ou d'impression, des droits à des redevances ou autres droits;

c) si la Société l'exige, lui remettre une quittance valide concernant le lot et s'engager à ne faire aucune autre réclamation à l'égard de ce lot dans la loterie.

11. Les documents prescrits pour l'application de l'alinéa 8.1 (5) a) de la Loi doivent raisonnablement sembler être des documents qui ont été délivrés par un gouvernement et qui comportent une photo de la personne ainsi que sa date de naissance et peuvent comprendre :

- a) un permis de conduire délivré par la province de l'Ontario comportant une photo de son titulaire;
- b) un passeport canadien;
- c) une carte de citoyenneté canadienne comportant une photo de son titulaire;
- d) une carte d'identité des Forces armées canadiennes;
- e) une carte-photo délivrée par la Commission des alcools et des jeux de l'Ontario ou, avant la création de cette commission, par la Commission des permis d'alcool de l'Ontario.

12. Malgré tout autre article, une loterie dirigée et administrée par la Société aux termes de l'alinéa 7 b) de la Loi doit l'être selon les règles du jeu établies conformément à l'entente conclue aux termes de cet alinéa.

19/99

ONTARIO REGULATION 245/99 made under the FARM PRODUCTS MARKETING ACT

Made: March 11, 1999
Approved: March 18, 1999
Filed: April 23, 1999

Amending Reg. 413 of R.R.O. 1990
(Fresh Potatoes—Plan)

Note: Regulation 413 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1997.

1. The title of Regulation 413 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

POTATOES—PLAN

2. Section 1 of the Regulation is amended by striking out "fresh potatoes" at the end and substituting "potatoes".

3. Sections 2 and 3 of the Regulation are revoked and the following substituted:

2. The local board named in the Schedule is given the powers set out in subsection 15 (1), and sections 50 and 110, of the *Co-operative Corporations Act* and the power set out in subsection 15 (4) of that Act to accept extra-provincial powers and rights.

3. The members of the local board shall be deemed to be its shareholders and directors for the exercise of any of the powers mentioned in section 2.

4. The Schedule to the Regulation is revoked and the following substituted:

Schedule

PLAN

1. This plan may be cited as "The Ontario Potato Plan".

2. In this plan,

"fresh potatoes" means potatoes produced in Ontario that are not used for processing by a processor nor sold as certified seed;

"fresh potato producer" means a person engaged in the production of fresh potatoes;

"potatoes" means potatoes produced in Ontario;

"processing" means,

(a) canning, dehydrating, chipping, drying, freezing or processing with any chemical or by heat and combining or mixing potatoes with one or more other vegetables, or

(b) entering into a contract for the purchase of potatoes for the purpose of performing on them any of the operations mentioned in clause (a);

"processing potatoes" means potatoes produced in Ontario that are used by a processor for processing;

"processing potato producer" means a person engaged in the production of processing potatoes;

"producer" means a person engaged in the production of potatoes.

3. This plan provides for the control and regulation in any or all respects of the production and marketing within Ontario of potatoes, including the prohibition of such marketing in whole or in part.

4. The local board named "Fresh Potato Growers of Ontario" is continued under the name "The Ontario Potato Board".

5. (1) The local board shall be composed of six members, all of whom shall be producers.

(2) Members of the local board shall be elected or appointed in accordance with this plan and shall hold office until their successors are elected or appointed.

6. Producers are divided into seven districts as follows:

1. District 1, comprising the counties of Essex and Kent.
2. District 2, comprising the counties of Elgin, Huron, Lambton, Middlesex and Perth.
3. District 3, comprising the counties of Brant and Oxford and the regional municipalities of Haldimand-Norfolk, Hamilton-Wentworth and Niagara.
4. District 4, comprising the counties of Bruce, Dufferin, Grey and Wellington and the regional municipalities of Halton, Peel and Waterloo.
5. District 5, comprising the County of Simcoe and The Regional Municipality of York.
6. District 6, comprising the counties of Dundas, Frontenac, Glengarry, Grenville, Haliburton, Hastings, Lanark, Leeds, Lennox and Addington, Northumberland, Peterborough, Prescott, Prince Edward, Renfrew, Russell, Stormont and Victoria, the Territorial District of Parry Sound, The District Municipality of Muskoka and the regional municipalities of Durham and Ottawa-Carleton.
7. District 7, comprising the territorial districts of Algoma, Cochrane, Kenora, Manitoulin, Nipissing, Rainy River, Sudbury, Thunder Bay and Timiskaming.

7. (1) Subject to subsection (2), the producers in each of the districts mentioned in section 6 form a district potato growers' committee.

(2) The processing potato producers in districts 6 and 7 do not form part of the potato growers' committee for their own districts but are deemed to be members of the potato growers' committee for District 5.

8. A person who is a producer in more than one district is deemed to be a member of the district potato growers' committee for the district in which he or she resides.

9. (1) On or before December 15 in each year, the members of each district potato growers' committee shall, in accordance with this section, elect councillors, as follows:

TABLE

COLUMN 1	COLUMN 2	COLUMN 3
District	Fresh Potatoes	Processing Potatoes
1	one councillor	one councillor
2	one councillor	one councillor
3	one councillor	one councillor
4	one councillor	two councillors
5	three councillors	three councillors
6	one councillor	no councillor
7	one councillor	no councillor

(2) The members of each district potato growers' committee who are fresh potato producers shall elect from among themselves the number of councillors set out in Column 2 of the Table.

(3) The members of each district potato growers' committee who are processing potato producers shall elect from among themselves the number of councillors set out in Column 3 of the Table.

(4) The councillors elected under subsection (2) constitute the "Fresh Council" and the councillors elected under subsection (3) constitute the "Processing Council".

(5) A producer who produces less than five acres of fresh potatoes is not eligible to vote to elect councillors to the Fresh Council or to hold office as a councillor on the Fresh Council or as a member of the local board.

(6) No person is eligible for election to the Fresh Council or the Processing Council from a district unless he or she is a member of the district potato growers' committee for the district.

10. (1) On or before December 15 in each year, the members of the Fresh Council shall elect from among themselves a chair and two vice-chairs of the Council.

(2) On or before December 15 in each year, the members of the Processing Council shall elect from among themselves a chair and two vice-chairs of the Council.

(3) The persons elected under subsections (1) and (2) are the members of the local board.

11. The term of office of councillors and of members of the local board expires on December 15 in the year following the date of their election, or of their appointment under section 13.

12. (1) Where in any year the councillors on the Fresh Council fail to elect one or more members to the local board in accordance with section 11, the members of the local board shall, at their first meeting after December 15 in that year, appoint from the Fresh Council the number of members necessary to complete the local board.

(2) Where in any year the councillors on the Processing Council fail to elect one or more members to the local board in accordance with section 11, the members of the local board shall, at their first meeting after December 15 in that year, appoint from the Processing Council the number of members necessary to complete the local board.

13. (1) Where a member of the local board representing the Fresh Council dies, resigns or otherwise ceases to be a member before December 15 in the year following the date of his or her election or appointment, the councillors on the Fresh Council may, within 14 days, appoint a replacement member from among themselves for the unexpired term.

(2) Where a member of the local board representing the Processing Council dies, resigns or otherwise ceases to be a member before December 15 in the year following the date of his or her election or appointment, the councillors on the Processing Council may, within 14 days, appoint a replacement member from among themselves for the unexpired term.

(3) If no appointment is made under subsections (1) and (2), the local board shall appoint a member from the Fresh Council or the Processing Council, as appropriate, for the unexpired term.

5. (1) On or before the day on which this Regulation comes into force, the Commission shall appoint as members of the local board three members from each of the Fresh Potato Growers' of Ontario and the Ontario Potato Growers' Marketing Board, as they were known on the day immediately before this Regulation comes into force.

(2) The members appointed under subsection (1) shall hold office until their successors are elected or appointed under Regulation 413 of the Revised Regulations of Ontario, 1990, as amended by this Regulation.

6. (1) At their first meeting, the members of the local board appointed under subsection 5 (1) shall appoint as members of the "Fresh Council" nine fresh potato councillors from among the members of the seven District Fresh Potato Growers' Committees in office on the day immediately before this Regulation comes into force.

(2) At their first meeting, the members of the local board appointed under subsection 5 (1) shall appoint as members of the "Processing Council" eight processing potato councillors from among the members of the five District Potato Growers' Committees in office on the day immediately before this Regulation comes into force.

(3) The councillors appointed under subsections (1) and (2) shall hold office until their successors are elected or appointed under Regulation 413 of the Revised Regulations of Ontario, 1990, as amended by this Regulation.

ONTARIO FARM PRODUCTS MARKETING COMMISSION:

D. W. TAYLOR
Chair

GLORIA MARCO BORYS
Secretary

Dated on March 11, 1999.

19/99

ONTARIO REGULATION 246/99
made under the
FARM PRODUCTS MARKETING ACT

Made: April 21, 1999
Filed: April 23, 1999

**DISSOLUTION OF ONTARIO POTATO
GROWERS' MARKETING BOARD**

1. (1) The Ontario Potato Growers' Marketing Board referred to in section 4 of the Schedule to Regulation 423 of the Revised Regulations of Ontario, 1990 is dissolved.

(2) If on the day The Ontario Potato Growers' Marketing Board is dissolved its assets include money that was transferred to it from the Fund for Producers of Potatoes for Processing under clause 1 (b) of Ontario Regulation 408/93, such money is transferred to the Ontario Potato Board referred to in Regulation 413 of the Revised Regulations of Ontario, 1990.

2. Regulation 423 of the Revised Regulations of Ontario, 1990 is revoked.

19/99

ONTARIO REGULATION 247/99
made under the
FARM PRODUCTS MARKETING ACT

Made: March 11, 1999
Filed: April 23, 1999

POTATOES—MARKETING

PURPOSE

1. This Regulation provides for the control and regulation in any or all respects of the producing and marketing within Ontario of potatoes,

including the prohibition of such producing and marketing in whole or in part.

INTERPRETATION AND APPLICATION

2. In this Regulation,

"fresh potatoes" means potatoes produced in Ontario that are not used for processing by a processor nor sold as certified seed;

"local board" means the Ontario Potato Board referred to in Regulation 413 of the Revised Regulations of Ontario, 1990;

"plan" means the Ontario Potato Plan referred to in Regulation 413 of the Revised Regulations of Ontario, 1990;

"potatoes" means fresh potatoes and processing potatoes;

"processing" means,

(a) canning, dehydrating, chipping, drying, freezing or processing with any chemical or by heat and combining or mixing potatoes with one or more other vegetables, or

(b) entering into a contract for the purchase of potatoes for the purpose of performing on the potatoes any of the operations mentioned in clause (a);

"processing potatoes" means potatoes produced in Ontario that are used by a processor for processing;

"processor" means a person engaged in the business of processing potatoes;

"producer" means a person engaged in the production of potatoes.

3. (1) Any person or persons who produce less than five acres of fresh potatoes are exempted by the Commission from the application of this Regulation with respect to those potatoes but this Regulation continues to apply with respect to any processing potatoes that they may produce.

(2) This Regulation, except clauses 10 (a), (b) and (c), do not apply with respect to small whole potatoes processed by canning or freezing.

(3) Section 4 does not apply in respect of potatoes processed on the processor's premises that the processor sells directly to the consumer from the premises.

LICENSING OF PROCESSORS

4. (1) No person shall commence or continue to engage in the processing of potatoes except under the authority of a licence issued by the Commission and except in compliance with the terms and conditions of the licence.

(2) A licence expires on the date indicated in the licence but if no expiry date is indicated, the licence expires on the date the licensee ceases to engage in the processing of potatoes.

(3) No fee is payable to the Commission for the issuing of a licence to a processor.

5. The Commission may refuse to grant or renew a licence or may suspend or revoke a licence,

(a) where the applicant or licensee is not qualified by experience or equipment to properly engage in the business for which the application was made or the licence granted; or

- (b) where the applicant or licensee has failed to comply with or has contravened the Act, the regulations, the plan or any order or direction of the Commission.

6. The Commission may impose such terms and conditions upon a licence as the Commission considers proper.

7. Where, after a hearing, the Commission is of the opinion that the applicant or licensee has failed to comply with or has contravened any term or condition of the licence or the Act, the regulations, the plan or any order or direction of the Commission, the Commission may impose a penalty on the applicant or licensee.

8. (1) The Commission may require that a processor furnish a performance bond in an amount not exceeding 10 per cent of the price payable to producers for potatoes processed by the producer during the immediately preceding 12-month period.

(2) The Commission may decide that the performance bond is forfeited if the processor who furnished it fails to comply with or contravenes any term or condition of the processor's licence or the Act, the regulations, the plan or any order or direction of the Commission.

9. (1) The Commission shall pay any penalty under section 7 or the proceeds of any bond forfeited under subsection 8 (2), or both to the local board for distribution proportionately among any producers who sold potatoes to the processor but did not receive the minimum price for them, to the extent of the money owing to them.

(2) If there are no producers as described in subsection (1) or if there is an excess balance of penalty or proceeds, the Commission shall pay the penalty, proceeds or excess balance into the Consolidated Revenue Fund.

DELEGATION AND VESTING OF POWERS OF COMMISSION

10. The Commission delegates to the local board the power,

- (a) to require persons engaged in producing or marketing potatoes to register their names, addresses and occupations with the local board;
- (b) to require persons engaged in the producing or marketing potatoes to furnish such information relating to these activities, including the completing and filing of returns, as the local board determines;
- (c) to appoint persons,
 - (i) to inspect the books, records, document, land and premises and any potatoes of persons engaged in producing or marketing potatoes,
 - (ii) to enter on lands or premises used for the producing of any potatoes and measure the area of land used to produce them;
- (d) to stimulate, increase and improve the marketing of potatoes by such means as it considers proper;
- (e) to co-operate with a marketing board, local board, marketing commission or marketing agency of Canada or any province in Canada for the purpose of marketing potatoes;
- (f) to make any orders, issue any directions or do any other thing it considers necessary to ensure that the Act, the regulations and the plan are complied with.

11. The Commission vests in the local board the power,

- (a) to direct and control, by order or direction, whether as principal or agent, the producing and marketing of fresh potatoes, including the times and places at which fresh potatoes may be produced and marketed;
- (b) to determine from time to time the price or prices that shall be paid to producers for fresh potatoes or any class, variety, grade or size of fresh potatoes and to determine different prices for different parts of Ontario;
- (c) to fix and impose service charges from time to time for the marketing of fresh potatoes;
- (d) to require the price or prices payable or owing to the producer for fresh potatoes to be paid to or through the local board;
- (e) to collect from any person by suit in a court of competent jurisdiction the price or prices of fresh potatoes or any part of the price or prices;
- (f) to pay from service charges imposed under clause (c) its expenses in carrying out the purpose of the plan;
- (g) to pay to the producers the price or prices for fresh potatoes, less service charges imposed under clause (c), and to fix the times at or within which the payments shall be made.

DELEGATION OF COMMISSION POWERS TO MAKE REGULATIONS

12. The Commission delegates to the local board its powers to make regulations with respect to potatoes,

- (a) providing for the licensing of any or all persons before commencing or continuing to engage in the producing or marketing of potatoes;
- (b) prohibiting persons from engaging in the producing or marketing of potatoes except under the authority of a licence;
- (c) providing for the suspension or revocation of, or the refusal to grant or renew, a licence where the applicant or licensee,
 - (i) is not qualified by experience, financial responsibility or equipment to properly engage in the business for which the application was made or the licence granted, or
 - (ii) has contravened the Act, the regulations, the plan or an order or direction of the Commission or local board;
- (d) providing for the fixing of licence fees and the payment thereof by any or all persons producing or marketing potatoes and the collecting of the licence fees including recovery by suit in a court of competent jurisdiction;
- (e) requiring any person who receives potatoes to deduct from the money payable for them any licence fees payable to the local board by the person from whom the person receives the potatoes, and to forward such licence fees to the local board;
- (f) requiring any person who produces and processes potatoes to furnish to the local board statements of the amounts of potatoes that the person produced in any year and used for processing;
- (g) prescribing the form of licences;
- (h) providing for the exemption from any or all of the regulations, orders or directions under the plan of any class, variety, grade or size of potatoes, or any person or class of persons engaged in the producing or marketing of potatoes or any class, variety, grade or size of potatoes;

- (i) providing for the control and regulation of the marketing of potatoes, including the times and places at which potatoes may be marketed;
- (j) subject to orders made under subsection 7(4) of the Act, providing for the control and regulation of agreements entered into by producers of potatoes with persons engaged in processing potatoes and providing for the prohibition of any provision in such agreements;
- (k) providing for the control and regulation of agreements entered into by producers of fresh potatoes with persons engaged in marketing fresh potatoes and the prohibition of any provision or clause in such agreements;
- (l) requiring and providing for the furnishing of security or proof of financial responsibility or of a performance bond by a person or class of persons engaged in the marketing of fresh potatoes and providing for the administration, forfeiture and disposition of any money or securities so furnished and the proceeds from the money or securities;
- (m) requiring any person who produces potatoes to offer to sell and to sell the potatoes through the local board;
- (n) prohibiting any person from processing, packing or packaging any potatoes that have not been sold to, by or through the local board;
- (o) authorizing the fixing of prompt payment discounts, delayed payment penalties and interest on service charges owing by any person engaged in the producing of fresh potatoes; and
- (p) providing for the making of agreements relating to the marketing of fresh potatoes by or through the local board and prescribing the forms and the terms and conditions of the agreements.

AUTHORIZATIONS PROVIDED BY COMMISSION

13. (1) The Commission authorizes the local board to use any class of licence fees and other moneys payable to it for the purpose of paying its expenses, carrying out and enforcing the Act and the regulations and carrying out the purposes of the plan.

(2) The Commission authorizes the local board to establish a fund in connection with the plan for the payment of any money that may be required for the purposes mentioned in subsection (1).

14. The Commission authorizes the local board to require the price or prices payable or owing to the producers for potatoes to be paid to or through the local board and to recover the price or prices by suit in a court of competent jurisdiction.

15. The Commission authorizes the local board to prohibit the marketing of any class, variety, grade or size of potatoes.

16. The Commission authorizes the local board,

- (a) to conduct a pool or pools for the distribution of all money received from the sale of fresh potatoes;
- (b) to distribute the money from the sale that remains after deduction of all necessary and proper disbursements and expenses so that every producer receives a share of that money in relation to the amount, class, variety, grade or size of fresh potatoes delivered by the producer; and
- (c) to make an initial payment on delivery of the fresh potatoes and subsequent payments until all of the money that remains is distributed to the producers.

17. The Commission authorizes the local board to appoint agents, to prescribe their duties and terms and conditions of employment and to provide for their remuneration.

FUND

18. The local board shall establish a fund with the money transferred to it under Ontario Regulation 246/99 and shall administer the fund in accordance with the following terms:

- 1. The capital may be invested in securities referred to in section 26 of the *Trustees Act*, other than first mortgages, charges or hypothecs upon real estate in Canada.
- 2. The capital of the fund shall not be spent.
- 3. The income of the fund may be spent for purposes of research, market development and education relating to potatoes for processing.
- 4. The funds shall be audited annually and the auditor's report shall be submitted to the Commission as part of the audit of the accounts of the local board.

NEGOTIATIONS BETWEEN THE LOCAL BOARD AND THE PROCESSORS

19. The following classes of processing potatoes are established:

- 1. Potatoes for chips, being potatoes used to produce potato chips.
- 2. Potatoes for soups and stews, being potatoes used to produce soups and stews.
- 3. Prepeeled potatoes, being potatoes that are prepeeled and used to produce products other than those mentioned in paragraphs 1 and 2.

20. (1) In each year there shall be a negotiating agency for each group of one or more processors of a particular class of potatoes who gives written notice to the local board and the Commission of the names of the processors in the group by January 15.

(2) A negotiating agency shall be composed of not more than six members, of whom the local board and the processors in the group for which the agency is established may each appoint not more than three.

(3) The members of a negotiating agency are members for the calendar year in respect of which they are appointed.

(4) If a member dies, resigns or is unable to act, the local board or the processor who appointed the member shall appoint a replacement in accordance with subsection (2).

21. (1) If no negotiating agency is established for a processor or if the members of a negotiating agency appointed by a group of processors do not negotiate any of the matters mentioned in subsection 22 (1) with the members of the agency appointed by the local board, the local board shall determine which of the agreements made by a negotiating agency or the awards made by an arbitration board shall apply to the processor or the group of processors, as the case may be.

(2) An agreement or an award described in subsection (1) shall be deemed to be an agreement or award for the purposes of subsection 7 (4) of the Act.

22. (1) Each negotiating agency is empowered to adopt or settle by agreement in respect of the class of potatoes of the processors in the group for which the agency is established,

- (a) minimum prices for the potatoes or for any variety, grade or size of the potatoes;
- (b) terms, conditions and forms of agreements relating to the producing or marketing of the potatoes; and

(c) any charges, costs or expenses relating to the producing or marketing of the potatoes.

(2) Anything that a negotiating agency adopts or settles by agreement under subsection (1) is binding on the processors in the group for which the agency is established.

23. (1) A negotiating agency may refer to conciliation any matter that it is empowered to adopt or settle by agreement under subsection 22 (1).

(2) If a negotiating agency refers any matters to conciliation, it shall notify the Commission.

(3) The negotiating agency may appoint a conciliator who is acceptable to both the processor members and the local board members of the agency.

(4) If a negotiating agency fails to agree on a conciliator under subsection (3), the Commission may appoint a conciliator.

(5) The conciliator is empowered to endeavour to bring about agreement on any matter referred to conciliation under subsection (1).

24. (1) A negotiating agency shall notify the Commission if,

(a) by 4 p.m. on the second Friday of February in each year, it does not reach an agreement on all matters that it is empowered to adopt or settle by agreement; or

(b) on an earlier date than the date mentioned in clause (a), it decides that it cannot reach an agreement on all matters that it is empowered to adopt or settle by agreement.

(2) At the time of giving the notice, the negotiating agency shall send to the Commission,

(a) a statement of the matters in dispute on which it has not reached an agreement; and

(b) a statement of the final position on the matters in dispute of the members of the negotiating agency appointed by the local board and the members appointed by the processors.

(3) The Commission shall refer the matters in dispute to an arbitration board.

25. (1) Subject to subsection (3), an arbitration board shall consist of one member appointed by the negotiating agency mentioned in subsection 24 (1).

(2) If members of the negotiating agency cannot agree on the member of the arbitration board within three days of giving the notice mentioned in subsection 24 (1), the Commission shall appoint the member subject to subsection (3).

(3) No arbitration board shall conduct more than one arbitration in the same year.

26. (1) In making an award on a matter in issue, an arbitration board shall select without modification one of the statements of final position on the matter that the negotiating agency sent to the Commission under subsection 24 (2).

(2) If the negotiating agency has sent to the Commission only one statement of final position on a matter in issue, the arbitration board shall select that statement as the award.

MISCELLANEOUS

27. (1) Any dealer, packer or producer-packer who receives fresh potatoes shall deduct from the money payable for them any licence fees payable to the local board by the person from whom the fresh potatoes are received and shall forward the licence fees to the local board.

(2) In this section,

"dealer" means a person who receives, assembles, handles, stores, loads, ships or offers to sell or sells fresh potatoes;

"packer" means a person who packs fresh potatoes of a grade recognized under the *Farm Products Grades and Sales Act* or the *Canada Agricultural Products Act*;

"producer-packer" means a producer engaged in the production of fresh potatoes who packs fresh potatoes of a grade recognized under the *Farm Products Grades and Sales Act* or the *Canada Agricultural Products Act*.

28. Every producer and person engaged in the marketing of potatoes shall pay to the local board interest on licence fees or service charges in arrears at the rate of 1.5 per cent per month.

29. On or before June 20 in each year, each producer shall complete a return in a form approved by the local board with respect to that producer's production or marketing of potatoes and file it with the local board at the address of the local board given on the form.

30. Regulations 412 and 422 of the Revised Regulations of Ontario, 1990 are revoked.

ONTARIO FARM PRODUCTS MARKETING COMMISSION:

D. W. TAYLOR
Chair

GLORIA MARCO BORYS
Secretary

Dated on March 11, 1999.

19/99

CORRECTIONS

Ontario Regulation 114/99 under the *Courts of Justice Act* published in the April 3, 1999 issue of *The Ontario Gazette*.

Subrules 27 (2), (3) and (4) of Ontario Regulation 114/99 were inadvertently omitted from publication. They read as follows:

EFFECT OF REQUEST FOR FINANCIAL STATEMENT

(2) Within 15 days after being served with the request, the payor shall send a completed financial statement (Form 13) to the recipient by mail, fax or electronic mail.

Règlement de l'Ontario 114/99 pris en application de la *Loi sur les tribunaux judiciaires* dans le numéro du 3 avril 1999 de la *Gazette de l'Ontario*.

Lors de la publication, les paragraphes 27 (2), (3) et (4) du Règlement de l'Ontario 114/99 ont été omis par inadvertance. Leur libellé est le suivant :

EFFET D'UN DEMANDE D'ÉTAT FINANCIER

(2) Au plus tard 15 jours après que le demande lui est signifiée, le payeur envoie au bénéficiaire un état financier dûment rempli (formule 13) par la poste, par télécopie ou par courrier électronique.

FREQUENCY OF REQUESTS FOR FINANCIAL STATEMENTS

(3) A recipient may request a financial statement only once in a six-month period, unless the court gives the recipient permission to do so more often.

APPLICATION OF RULE 13

(4) If a party is required under this rule to give a financial statement, the following subrules apply with necessary changes:

- 13 (6) (full disclosure)
- 13 (7) (income tax documents)
- 13 (11) (additional information)
- 13 (12) (updating financial statement)
- 13 (15) (correcting and updating)
- 13 (16) (order to file statement)
- 13 (17) (failure to file).

FRÉQUENCE DES DEMANDES D'ÉTATS FINANCIERS

(3) Le bénéficiaire peut demander un état financier une fois par période de six mois, à moins que le tribunal ne lui accorde la permission de le faire plus souvent.

APPLICATION DE LA RÈGLE 13

(4) Si la présente règle exige d'une partie qu'elle remette un état financier, les paragraphes suivants s'appliquent avec les adaptations nécessaires :

- 13 (6) (divulcation complète)
- 13 (7) (documents fiscaux)
- 13 (11) (renseignements supplémentaires)
- 13 (12) (mise à jour de l'état financier)
- 13 (15) (correction et mise à jour)
- 13 (16) (ordonnance enjoignant de déposer un état)
- 13 (17) (non-dépôt).

Ontario Regulation 162/99 under the *Power Corporation Act* published in the April 10, 1999 issue of *The Ontario Gazette*.

The reference to Revoking Reg. should have read as follows:

Revoking Reg. 931 of R.R.O. 1990
(Debt Guarantee Fees)

Ontario Regulation 183/99 under the *Chiropody Act, 1991* published in the April 10, 1999 issue of *The Ontario Gazette*.

Subsection 32 (5) of Ontario Regulation 183/99 was inadvertently omitted from publication. It reads as follows:

(5) If the member refuses to undergo an assessment under subsection (2) or to undertake specified measures under subsection (3), or fails to complete those measures, the Committee may direct the Registrar to impose terms, conditions or limitations on the member's certificate of registration for a period not exceeding six months.

Ontario Regulation 203/99 under the *Highway Traffic Act* published in the April 17, 1999 issue of *The Ontario Gazette*.

Subsection 1 (1) of Ontario Regulation 203/99 should have read as follows:

1. (1) Paragraph 12 of Part 3 of Schedule 2 to Regulation 619 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

Kent—Twps. of Tilbury East and Raleigh

12. That part of the King's Highway known as No. 3 in the County of Kent lying between a point situate 740 metres measured easterly from its intersection with the centre line of the roadway known as Kent County Road No. 14 in the hamlet of Port Alma in the Township of Tilbury East and a point situate 160 metres measured westerly from its intersection with the roadway known as Kent County Road No. 10 (Chatham Street) in the hamlet of Cedar Springs in the Township of Raleigh.

Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1999—05—15

ONTARIO REGULATION 248/99 made under the CHIROPODY ACT, 1991

Made: February 16, 1999
Approved: April 21, 1999
Filed: April 27, 1999

Amending O. Reg. 203/94
(General)

Note: Since the end of 1998, Ontario Regulation 203/94 has been amended by Ontario Regulation 183/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Part IV (Fees) of Ontario Regulation 203/94 is revoked.

COUNCIL OF THE COLLEGE OF CHIROPODISTS OF ONTARIO:

SCOTT J. HÉBERT
President

CHRISTINE ROBINSON
Registrar

Dated on February 16, 1999.

20/99

ONTARIO REGULATION 249/99 made under the OPTOMETRY ACT, 1991

Made: February 24, 1999
Approved: April 21, 1999
Filed: April 27, 1999

Amending O. Reg. 837/93
(Registration)

Note: Ontario Regulation 837/93 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. (1) Subparagraph ii of paragraph 2 of subsection 2 (1) of Ontario Regulation 837/93 is revoked and the following substituted:

- ii. Successful completion of a course outside Ontario that the Registration Committee determines is the equivalent of the course at the School of Optometry of the University of Waterloo and the award of a degree that the Registration Committee determines is comparable to the degree of doctor of optometry of the University of Waterloo.

(2) Paragraph 7 of subsection 2 (1) of the Regulation is revoked and the following substituted:

- 7. The applicant must meet the criteria set out in one of the following subparagraphs:

- i. Successful completion, not more than one year before applying for registration, of the standards assessment examinations set or approved by the College,
- ii. Successful completion, more than one year but not more than three years before applying for registration, of the standards assessment examinations set or approved by the College and proof, satisfactory to the Registration Committee,
 - A. of having provided at least 100 hours of direct optometric service to patients in each calendar year that follows the calendar year in which the standards assessment examinations are completed, or
 - B. of having undergone an evaluation of the applicant's knowledge, skills and judgment by the Quality Assurance Committee,
- iii. Successful completion, more than three years before applying for registration, of the standards assessment examinations set or approved by the College and proof, satisfactory to the Registration Committee, of,

- A. having provided at least 100 hours of direct optometric service to patients in each of the three 12-month periods immediately prior to applying for registration and at least 750 hours of such service over those 36 months, and being competent to practise in accordance with the standards of practice on the basis of an assessment by the Quality Assurance Committee of the applicant's patient records, as well as any other records that the applicant would have been required to maintain pursuant to the regulations, had the applicant been a member of the College, or

- B. being competent to practise in accordance with the standards of practice on the basis of an evaluation of the applicant's knowledge, skills and judgment by the Quality Assurance Committee.

- 7.1 The applicant has successfully completed an examination in jurisprudence set or approved by the College within one year of applying for registration.

- 7.2 If the applicant is required to undergo an assessment by the Quality Assurance Committee under sub-subparagraph A of subparagraph iii of paragraph 7, the applicant must pay in advance the required fee set out in the by-laws of the College.

- 7.3 If the applicant is required to undergo an evaluation under sub-subparagraph B of subparagraph ii of paragraph 7 or under sub-subparagraph B of subparagraph iii of paragraph 7, the applicant must pay in advance the required fee set out in the by-laws of the College.

(3) Section 2 of the Regulation is amended by adding the following subsections:

- (3) If the Registration Committee is satisfied that a failure to meet the requirement in subparagraph ii or iii of paragraph 7 of subsection (1) to provide at least 100 hours of direct optometric service to patients was due in substantial part to reasons relating to health or maternity, the applicant may be exempted from meeting that requirement for the purpose of qualifying for the certificate.

- (4) Where an assessment or evaluation is performed by the Quality Assurance Committee for the purposes of sub-subparagraph B of sub-

paragraph ii of paragraph 7 of subsection (1) or of sub-subparagraph A or B of subparagraph iii of paragraph 7 of subsection (1), the Quality Assurance Committee shall provide a report to the Registrar, who shall provide a copy of it to the applicant.

2. Subsections 8 (1), (2), (3) and (4) of the Regulation are revoked and the following substituted:

8. (1) It is a condition of a certificate of registration of any class that the member provide,

- (a) at least 100 hours of direct optometric service to patients in Ontario in every calendar year following the year in which the member is first registered;
- (b) at least 750 hours of direct optometric service to patients in Ontario in every three-year period following the year in which the member is first registered; and
- (c) an annual report to the Registrar, at such time as the Registrar requires, detailing the member's participation in the mandatory continuing education program.

(2) If a member has failed to meet any of the conditions of a certificate of registration set out in subsection (1) or to meet the published minimum requirements of the mandatory continuing education program, the Registrar shall refer the member to the Quality Assurance Committee for an assessment of the member's patient records and other records required to be maintained under the regulations.

(3) If the Registration Committee is satisfied that a failure to meet the condition set out in clause (1) (a) was due in substantial part to reasons relating to health or maternity, the member may be exempted from meeting that requirement.

3. Section 9 of the Regulation is revoked.

COUNCIL OF THE COLLEGE OF OPTOMETRISTS OF ONTARIO:

P. D. PADFIELD, O.D.
President

M. J. TURNOUR, O.D., M.S.C.
Registrar

Dated on February 24, 1999.

20/99

ONTARIO REGULATION 250/99
made under the
OPTOMETRY ACT, 1991

Made: February 24, 1999
Approved: April 21, 1999
Filed: April 27, 1999

Amending O. Reg. 119/94
(General)

Note: Ontario Regulation 119/94 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. The heading immediately preceding section 1 of Ontario Regulation 119/94 is revoked and the following substituted:

PART I
APPOINTMENT OF NON-COUNCIL MEMBERS TO
COMMITTEES OF THE COLLEGE

2. The Regulation is amended by adding the following Parts:

PART IX
QUALITY ASSURANCE

DEFINITIONS

23. In this Part,

"assessor" means an assessor appointed under section 81 of the *Health Professions Procedural Code*;

"clinical ability" means, in relation to a member, the member's knowledge, skills and judgment relating to practising optometry;

"Committee" means the Quality Assurance Committee;

"deficiencies in the member's practice" means one or more aspects of the member's practice that are not in accordance with the standards of practice of the profession;

"deficient clinical ability" means, in relation to a member, a level of knowledge, skills or judgment that makes the member's clinical performance unsatisfactory;

"remedial program" means a specific education program that a member is required to undertake for the purpose of correcting deficient clinical ability.

QUALITY ASSURANCE PROGRAM: OBJECTS AND COMPONENTS

24. The objects of the quality assurance program, which is administered by the Committee, are to maintain and enhance the knowledge, skills and judgment of members so that appropriate care of high quality is provided to the public.

25. The quality assurance program shall include the following components:

- 1. A mandatory continuing education component.
- 2. An assessment component to appraise the practice of members.
- 3. An evaluation component to evaluate a member's clinical ability.
- 4. A remedial component to assist a member in correcting any deficiencies in the member's practice or clinical ability.
- 5. A component to assist in appraising the practice or evaluating the clinical ability of an applicant for registration when referred by the Registration Committee or the Registrar.
- 6. A component to provide for assessment and rehabilitation of a member who has allegedly exhibited inappropriate behaviour or made inappropriate remarks of a sexual nature towards a patient.
- 7. A component to obtain information from members to assist the Committee in carrying out the program's objects.

MANDATORY CONTINUING EDUCATION

26. (1) Every member shall participate in a mandatory continuing education program established and administered by the Committee.

(2) The requirements of the program and any changes to them shall be approved by the Council, published by the College and distributed to the members.

PRACTICE ASSESSMENT

27. (1) A member is required to undergo a practice assessment if,

- (a) the member's name is selected at random in accordance with the random sampling process approved by the Council, published by the College and distributed to the members;
- (b) the member is referred to the Committee by the Registrar pursuant to subsection 8 (2) of Ontario Regulation 837/93; or
- (c) the member is referred to the Committee by the Complaints Committee, Discipline Committee or Executive Committee.

(2) An assessment shall include the inspection and assessment of the member's records of the care of patients and other records required to be maintained under the regulations under the Act, and may include, but is not limited to, an inspection of the member's office or offices and requiring the member to respond to a practice questionnaire.

(3) A written report shall be prepared in relation to the assessment of a member's practice.

(4) The Committee shall provide a copy of the report to the member and notify the member in writing of the right to make written submissions provided under subsection (5).

(5) A member who receives a report under subsection (4) may make written submissions to the Committee within 14 days after receiving the report.

(6) The Committee may, after considering an assessment report, any other information that the Committee considers relevant to the assessment and the member's written submissions, if any, decide,

- (a) that no further action is required; or
- (b) that there are deficiencies in the member's practice.

(7) If the Committee determines that there are deficiencies in the member's practice, the Committee shall,

- (a) make written recommendations to the member on ways to correct the deficiencies and give the member an opportunity to correct them;
- (b) subject to section 29, require the member to successfully complete within the time specified by the Committee continuing education activities approved by the Committee to assist in the correction of deficiencies in the member's practice; or
- (c) subject to section 29, require the member to undergo an evaluation of the member's clinical ability.

(8) If the Committee acts under clause (7) (a) and the member has had an opportunity to correct the deficiencies, the Committee may require the member to undergo a reassessment of the practice, and subsections (2), (3), (4), (5), (6) and (7) apply to the reassessment.

(9) If the Committee acts under clause (7) (b), the Committee,

- (a) may require the member to undergo a reassessment of the practice before the completion of the continuing education activities; and
- (b) shall require the member to undergo a reassessment of the practice after completion of the continuing education activities.

(10) Subsections (2), (3), (4), (5), (6) and (7) apply to a reassessment under subsection (9).

(11) The Committee may not require more than two reassessments under this section.

EVALUATION OF MEMBER'S CLINICAL ABILITY

28. (1) If the Committee requires a member to undergo an evaluation of his or her clinical ability under clause 27 (7) (c), the Committee shall appoint a person or persons to carry out the evaluation.

(2) The evaluation may include,

- (a) requiring the member to answer, orally or in writing, questions that relate to practising optometry;
- (b) requiring the member to answer, orally or in writing, questions that arise from a review of real or simulated patient charts;
- (c) requiring the member to examine persons or clinical simulations exhibiting problems that relate to practising optometry; and
- (d) requiring the member to demonstrate the application of optometric techniques.

(3) The person or persons shall prepare a written report and submit it to the Committee.

(4) After receiving the report, the Committee shall provide a copy of the report to the member and notify the member in writing of the right to make written submissions provided under subsection (5).

(5) A member who receives a report under subsection (4) may make written submissions to the Committee within 14 days after receiving the report.

(6) After considering the evaluation report, the assessment report, other information the Committee considers relevant to the evaluation and the member's written submissions, if any, the Committee may decide,

- (a) that the deficiencies in the member's practice were not the result of deficient clinical ability; or
- (b) that the member has deficient clinical ability.

(7) If the Committee decides that the deficiencies in the member's practice are not the result of deficient clinical ability, it may,

- (a) make written recommendations to the member on ways to correct the deficiencies in the member's practice and give the member an opportunity to correct them; or
- (b) subject to section 29, require the member to successfully complete within the time specified by the Committee continuing education activities approved by the Committee to assist in the correction of deficiencies in the member's practice.

(8) If the Committee decides that the member has deficient clinical ability, it may,

- (a) make written recommendations to the member on ways to correct the deficiencies and give him or her an opportunity to correct them; or
- (b) subject to section 29, require the member to complete a remedial program approved by the Committee, within the time specified by the Committee; or

(c) subject to section 29 and subsection 30 (1), direct the Registrar to impose terms, conditions or limitations on the member's certificate of registration for a specified period not exceeding six months.

(9) If the Committee acts under clause (7) (a) or (8) (a) and the member has had an opportunity to correct the deficiencies, the Committee may require the member to undergo a reassessment of the practice, and subsections 27 (2), (3), (4), (5), (6) and (7) apply to the reassessment.

(10) At such time as it determines after the member has completed the continuing education activities required under clause (7) (b) or the remedial program required under clause (8) (b), the Committee may require the member to undergo a reassessment of the practice, and subsections 27 (2), (3), (4), (5), (6) and (7) apply to the reassessment.

(11) If the Committee takes action under subsection (8) and the member has had an opportunity to correct the deficiencies, completed or had the opportunity to complete a remedial program or had terms, conditions or limitations placed on his or her certificate of registration under this section, the Committee may require the member to undergo a re-evaluation, and the provisions of this section apply with necessary modifications to such a re-evaluation.

(12) The Committee may not require more than two reassessments under each of subsections (9) and (10) and more than one re-evaluation under subsection (11).

29. (1) The Committee shall not take action under clause 27 (7) (b) or (c), clause 28 (7) (b) or clause 28 (8) (b) or (c) unless it gives the member,

- (a) written notice that, in the Committee's opinion, there are deficiencies in the member's practice or that the member has deficient clinical ability;
- (b) a copy of all reports and other documents that the Committee considered in forming its opinion;
- (c) at least 14 days after receiving the notice to make written submissions to the Committee; and
- (d) if the member so requests in writing within 14 days after receiving the notice, an opportunity to confer with the Committee.

(2) After considering any submissions, whether written or oral, the Committee shall decide what action to take and, if it decides to take action under the provisions referred to in subsection (1), shall forward its written decision, with reasons, to the member.

IMPOSITION OF TERMS, CONDITIONS OR LIMITATIONS ON A MEMBER'S CERTIFICATE OF REGISTRATION

30. (1) Subject to subsection (4), the Committee may direct the Registrar to impose terms, conditions or limitations on the member's certificate of registration for a specified period not exceeding six months if,

- (a) the Committee decides that the member has deficient clinical ability; or
- (b) the member has failed to successfully complete a remedial program within the period of time specified by the Committee.

(2) If the Committee has given a direction under subsection (1), it may give another direction for a second specified period not exceeding six months but it may not give a third direction for a further period of time.

(3) The Committee may direct the Registrar to remove any of the terms, conditions or limitations that have been imposed before the end of the period if it is satisfied that the member's knowledge, skills and judgment are satisfactory.

(4) The Committee shall not direct the Registrar under subsection (1) unless the member has been given,

- (a) notice of the Committee's intention to direct the Registrar and of the reasons it believes the direction should be given;
- (b) a copy of all reports and other documents that have been considered by the Committee in connection with the matter;
- (c) at least 30 days after receiving the notice under clause (a) to make written submissions to the Committee; and
- (d) if the member makes such a request in writing within 30 days after receiving the notice, an opportunity to confer with the Committee.

APPLICANTS FOR REGISTRATION

31. (1) If a person is applying for registration, the Committee shall, on the request of the Registration Committee or the Registrar, review the applicant's patient records and any other records the Committee considers appropriate in order to assess the applicant's ability to practise in accordance with the standards of practice in Ontario.

(2) An assessor appointed by the Committee may assist it with the review.

(3) The Committee shall provide a written report of the results of its review to the Registrar, or to the Registration Committee if the latter requested the review.

(4) The Registrar shall provide a copy of the report to the applicant.

32. (1) If a person is applying for registration to practise, the Committee shall, on the request of the Registration Committee or the Registrar, ensure that an evaluation of the applicant's clinical ability is carried out.

(2) The Committee shall appoint a person or persons to carry out the evaluation.

(3) The evaluation may include,

- (a) requiring the applicant to answer, orally or in writing, questions that relate to practising optometry;
- (b) requiring the applicant to answer, orally or in writing, questions that arise from the review of real or simulated patient charts;
- (c) requiring the applicant to examine persons or clinical simulations exhibiting problems that relate to practising optometry; and
- (d) requiring the applicant to demonstrate the application of optometric techniques.

(4) The person or persons shall prepare a written report and submit it to the Committee.

(5) The Committee shall provide a written evaluation of the results of its review to the Registrar, or to the Registration Committee if the latter requested the review.

(6) The Registrar shall provide a copy of the evaluation to the applicant.

MEASURES FOLLOWING ALLEGED BEHAVIOUR OR REMARKS OF A SEXUAL NATURE

33. (1) The Committee may require a member to undergo a psychological assessment or other assessment specified by the Committee if a matter respecting the member is referred to the Committee,

- (a) by a panel of the Complaints Committee acting under paragraph 4 of subsection 26 (2) of the *Health Professions Procedural Code* with respect to clause (c) of the definition of "sexual abuse" in subsection 1 (3) of the Code; or
- (b) by the Executive Committee, the Complaints Committee or the Board under section 79.1 of the Code.

(2) The Committee may require a member to undertake and complete within a specified time a measure specified by the Committee, such as education, therapy or counselling, if,

- (a) the Committee has received a report of an assessment of a member required by the Committee under subsection (1); and
- (b) the Committee is satisfied that the member suffers from an emotional or personality condition that may adversely affect his or her professional behaviour.

(3) The Committee shall not take action under subsection (2) unless it gives the member,

- (a) a copy of the report of the assessment;
- (b) written notice of the measure the Committee intends to require;
- (c) at least 14 days after receiving the notice to make written submissions to the Committee; and
- (d) if the member so requests in writing within 14 days after receiving the notice, an opportunity to confer with the Committee.

(4) Subject to subsection (5), the Committee may direct the Registrar to impose terms, conditions or limitations on a member's certificate of registration for a specified period not exceeding six months if,

- (a) the member refuses to undergo an assessment under subsection (1);
- (b) the member refuses to undertake or complete the measure required by the Committee or complete it within the specified time; or
- (c) the Committee has been advised that the condition is not likely to be remediable and is of the opinion that the member's condition has exposed or is likely to expose the member's patients to harm or injury.

(5) No direction shall be given to the Registrar under subsection (4) unless,

- (a) the member has been given notice of the Committee's intention to give the direction and of the reasons it believes the direction should be given;
- (b) the member has been given a copy of all reports and other documents that have been considered by the Committee in connection with the matter;
- (c) the member has been given at least 30 days after receiving the notice and documents under this subsection to make written submissions to the Committee; and
- (d) if the member so requests in writing within 30 days after receiving the notice and documents under this subsection, the opportunity to confer with the Committee.

(6) The Committee may direct the Registrar to remove any of the terms, conditions or limitations imposed on a member's certificate of registration under this section before the end of the specified period if the Committee is satisfied that they are no longer needed.

(7) The following shall not be used as evidence that the member has committed an act of professional misconduct:

1. Any admission by the member to the Committee or to a person conducting an assessment under subsection (1) of exhibiting behaviour or making remarks of a sexual nature.
2. The results of any assessment undergone by the member under subsection (1) or measures undertaken under subsection (2).

(8) If terms, conditions or limitations are imposed on a member's certificate of registration under this section, the Committee shall report the matter to the Executive Committee.

INFORMATION

34. (1) At the Committee's request, the Registrar shall forward to the members a request for information from members in order to assist the Committee in carrying out the objects of the quality assurance program.

(2) Members shall provide the Registrar with accurate information in response to the request within 30 days of receiving it.

PART X NOTICE OF MEETINGS AND HEARINGS

35. (1) The Registrar shall ensure that notice of every Council meeting that is required to be open to the public under the Act is given in accordance with this Part.

(2) The notice shall be published in a daily newspaper of general circulation throughout Ontario at least 14 days before the date of the meeting.

(3) The notice shall be in English and French.

(4) The notice shall include the intended date, time and place of the meeting and indicate its purpose.

(5) The Registrar shall give notice of Council meetings to every person who requests it.

36. (1) The Registrar shall ensure that information concerning every hearing into allegations of professional misconduct or incompetence held by a panel of the Discipline Committee is given to every person who requests it.

(2) The information to be provided shall include the name of the member against whom the allegations have been made, his or her principal place of practice, the intended date, time and place of the hearing and a statement of the purpose of the hearing.

(3) For requests received more than 30 days before the date of the hearing, the Registrar shall, where possible, provide the information at least 30 days before that date.

(4) For requests received less than 30 days before the date of the hearing, the Registrar shall provide the information as soon as reasonably possible before that date.

(5) The information provided must be in English or, upon request, in French.

COUNCIL OF THE COLLEGE OF OPTOMETRISTS OF ONTARIO:

P. D. PADFIELD, O.D.
President

M. J. TURNOUR, O.D., M.S.C.
Registrar

Dated on February 24, 1999.

20/99

ONTARIO REGULATION 251/99**made under the
PLANNING ACT**

Made: April 23, 1999

Filed: April 27, 1999

Amending O. Reg. 102/72

(Restricted Areas—County of Ontario (now The Regional Municipality of Durham), Township of Pickering
(now the Town of Pickering))

Note: Ontario Regulation 102/72 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Ontario Regulation 102/72 is amended by adding the following section:

100. (1) Despite section 4, one single dwelling together with accessory buildings and structures may be erected, located and used on the lands described in subsection (2), if the following requirements are met:

Minimum lot frontage	66 metres
Minimum front yard	12 metres
Minimum rear yard	12 metres
Minimum side yard	3 metres
Minimum floor area	139 square metres
Maximum lot coverage	10 per cent

(2) Subsection (1) applies to that parcel of land in the Town of Pickering in The Regional Municipality of Durham, being part of Lot 12 in Concession V, designated as Part 1 on Plan 40R-18878 deposited in the Land Registry Office for the Land Titles Division of Durham Region (No. 40).

AUDREY BENNETT
Manager

*Provincial Planning and Environmental Services Branch
Ministry of Municipal Affairs and Housing*

Dated on April 23, 1999.

20/99

ONTARIO REGULATION 252/99**made under the
LIQUOR LICENCE ACT**

Made: April 21, 1999

Filed: April 27, 1999

Amending Reg. 719 of R.R.O. 1990
(Licences to Sell Liquor)

Note: Since the end of 1998, Regulation 719 has been amended by Ontario Regulation 122/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Regulation 719 of the Revised Regulations of Ontario, 1990 is amended by adding the following section:

11.2 (1) Subject to this section, the premises located at Molson Amphitheatre at Ontario Place, Toronto are exempt from section 11.

(2) Sections 76, 76.1 and 78, subsections 79 (1) and (4), sections 81, 82, 83, 85, 86 and 92 apply to the sale and service of liquor at Molson Amphitheatre as if it were a stadium and references in section 82 or 83 to the tiered seats shall be deemed to be references to Molson Amphitheatre.

(3) The licence holder shall ensure that the conditions of the licence are met.

(4) The licence holder may sell and serve liquor for consumption by patrons at Molson Amphitheatre only,

- (a) during the 90 minutes before the scheduled commencement of an event at which the majority of the patrons are 19 years of age or older; and
- (b) during an event mentioned in clause (a) but not later than 30 minutes before it is scheduled to end.

(5) The licence holder shall not sell and serve to any one person at any one time for consumption at Molson Amphitheatre,

- (a) more than two 170 millilitre containers of wine;
- (b) more than 800 millilitres of liquor other than wine; or
- (c) more than one 170 millilitre container of wine and one 400 millilitre container of liquor other than wine.

(6) The licence holder shall ensure that no person at Molson Amphitheatre, other than persons who serve liquor, shall be in possession of liquor except if,

- (a) that person is in the tiered seating area, the enclosed grassy areas directly behind the tiered seats or the areas set out in the licence immediately before this section comes into force; or
- (b) the person is in the box and club seating area and the licence holder is entitled to sell and serve liquor to the person under subsection (7).

(7) The licence holder may sell and serve liquor to patrons at Molson Amphitheatre in the box and club seats if the licence holder files with the board of the Alcohol and Gaming Commission of Ontario a statement setting out,

- (a) the brand names of the liquor that the licence holder proposes to sell and serve;
- (b) the prices at which the licence holder will sell servings of liquor; and
- (c) the number of servers that the licence holder will employ and the method of their remuneration.

(8) The licence holder shall ensure that no person in the tiered seating area, the box and club seating area, the enclosed grassy areas directly behind the tiered seats or the areas set out in the licence immediately before this section comes into force, other than persons who serve liquor, shall be in possession of liquor in quantities exceeding those mentioned in subsection (5).

20/99

ONTARIO REGULATION 253/99
made under the
ELECTRICITY ACT, 1998

Made: April 21, 1999
Filed: April 28, 1999

**TRANSITION—GENERATION
CORPORATION TARIFFS**

1. (1) If a person purchases electricity from the Generation Corporation, the Generation Corporation shall charge and the person shall pay the amount determined in accordance with the tariffs and supporting documentation that were applied by Ontario Hydro immediately before April 1, 1999 to purchases of electricity from Ontario Hydro.

(2) The service options, eligibility criteria and other terms and conditions described in the tariffs and supporting documentation referred to in subsection (1) apply to the purchase of electricity from the Generation Corporation.

(3) The Generation Corporation shall make copies of the tariffs and supporting documentation referred to in subsection (1) available to any person on request.

2. Nothing in this Regulation diminishes the rights of a person who purchases electricity from the Generation Corporation if the person commenced a proceeding against Ontario Hydro before April 1, 1999 that had not finally been determined by that date relating to the validity or applicability of the tariffs and supporting documentation referred to in subsection 1 (1) or any predecessor of those tariffs or that documentation.

3. This Regulation does not apply to electricity generated after subsection 26 (1) of the Act comes into force.

4. This Regulation shall be deemed to have come into force on April 1, 1999.

20/99

ONTARIO REGULATION 254/99
made under the
HIGHWAY TRAFFIC ACT

Made: April 21, 1999
Filed: April 29, 1999

Amending Reg. 628 of R.R.O. 1990
(Vehicle Permits)

Note: Since the end of 1998, Regulation 628 has been amended by Ontario Regulation 71/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Subsections 5.1 (3) and (4) of Regulation 628 of the Revised Regulations of Ontario, 1990 are revoked.

2. Subsections 18 (4), (5), (6) and (7) of the Regulation are revoked.

20/99

ONTARIO REGULATION 255/99
made under the
HIGHWAY TRAFFIC ACT

Made: April 12, 1999
Filed: April 29, 1999

Amending Reg. 619 of R.R.O. 1990
(Speed Limits)

Note: Since the end of January 1998, Regulation 619 has been amended by Ontario Regulations 2/99, 203/99, 223/99, 224/99 and 225/99. For prior amendments, see the Table of Regulations in the Statutes of Ontario, 1998.

1. Section 7 of Regulation 619 of the Revised Regulations of Ontario, 1990 is amended by adding the following subsections:

(3) Despite paragraph 13 of Part 3 of Schedule 16, no person shall operate a motor vehicle at a greater rate of speed than 60 kilometres per hour on days during which school is regularly held between the hours of 8:00 a.m. to 9:00 a.m. and 2:45 p.m. to 3:45 p.m. on that part of the King's Highway known as No. 12 and No. 48 in the Township of Brock in The Regional Municipality of Durham beginning at a point situate 199 metres measured northerly from its intersection with the centre line of the roadway known as Beaver Avenue and extending northerly for a distance of 750 metres.

(4) Despite paragraph 10 of Part 3 of Schedule 53, no person shall operate a motor vehicle at a greater rate of speed than 60 kilometres per hour on days during which school is regularly held between the hours of 8:00 a.m. to 9:00 a.m. and 2:45 p.m. to 3:45 p.m. on that part of the King's Highway known as No. 12 and No. 48 in the Township of Brock in The Regional Municipality of Durham beginning at a point situate 199 metres measured northerly from its intersection with the centre line of the roadway known as Beaver Avenue and extending northerly for a distance of 750 metres.

2. (1) Paragraph 10 of Part 3 of Schedule 16 to the Regulation is revoked and the following substituted:

Regional Municipality of Durham—Twp. of Brock

10. That part of the King's Highway known as No. 12 and No. 48 in the Township of Brock in The Regional Municipality of Durham lying between a point situate at its intersection with the south junction of the King's Highway known as No. 12 and the King's Highway known as No. 48 and a point situate 199 metres measured northerly from its intersection with the centre line of the roadway known as Beaver Avenue.

(2) Paragraph 12 of Part 3 of Schedule 16 to the Regulation is revoked.

(3) Part 3 of Schedule 16 to the Regulation is amended by adding the following:

Regional Municipality of Durham—Twp. of Brock

13. That part of the King's Highway known as No. 12 and No. 48 in the Township of Brock in The Regional Municipality of Durham lying between a point situate 199 metres measured northerly from its intersection with the centre line of the roadway known as Beaver Avenue and extending northerly for 750 metres.

Regional Municipality of Durham—Twp. of Brock

14. That part of the King's Highway known as No. 12 and No. 48 in the Township of Brock in The Regional Municipality of Durham lying between a point situate 949 metres measured northerly from its intersection with the centre line of the roadway known as Beaver Avenue and a point situate at its intersection with the

north junction of the King's Highway known as No. 12 and King's Highway known as No. 48.

3. (1) Paragraph 4 of Part 3 of Schedule 53 to the Regulation is revoked and the following substituted:

Regional Municipality of Durham—Twp. of Brock

4. That part of the King's Highway known as No. 12 and No. 48 in the Township of Brock in The Regional Municipality of Durham lying between a point situate at its intersection with the south junction of the King's Highway known as No. 12 and the King's Highway known as No. 48 and a point situate 199 metres measured northerly from its intersection with the centre line of the roadway known as Beaver Avenue.

(2) Part 3 of Schedule 53 to the Regulation is amended by adding the following:

Regional Municipality of Durham—Twp. of Brock

10. That part of the King's Highway known as No. 12 and No. 48 in the Township of Brock in The Regional Municipality of Durham lying between a point situate 199 metres measured northerly from its intersection with the centre line of the roadway known as Beaver Avenue and extending northerly for 750 metres.

Regional Municipality of Durham—Twp. of Brock

11. That part of the King's Highway known as No. 12 and No. 48 in the Township of Brock in The Regional Municipality of Durham lying between a point situate 949 metres measured northerly from its intersection with the centre line of the roadway known as Beaver Avenue and a point situate at its intersection with the north junction of the King's Highway known as No. 12 and King's Highway known as No. 48.

TONY P. CLEMENT
Minister of Transportation

Dated on April 12, 1999.

20/99

ONTARIO REGULATION 256/99
made under the
PLANNING ACT

Made: April 26, 1999
Filed: April 29, 1999

**ZONING AREAS—GEOGRAPHIC TOWNSHIP
OF AMES, TERRITORIAL DISTRICT
OF THUNDER BAY**

1. In this Order,

"accessory", when used to describe a use, building or structure, means a use, building or structure that is normally incidental or subordinate to the principal use, building or structure located on the same lot;

"dwelling unit" means one or more habitable rooms occupied or capable of being occupied as an independent and a separate housekeeping establishment in which separate kitchen and sanitary facilities are provided for the exclusive use of the occupants;

"lot" means a parcel of land shown as a lot or block on a registered plan of subdivision;

"regulatory water level" means one metre above the 430 metre contour defined to be the normal summer lake level as shown on the plan of subdivision;

"seasonal dwelling" means a building containing only one dwelling unit used for recreation, but not occupied as a permanent residence.

2. This Order applies to the land in the geographic Township of Ames in the Territorial District of Thunder Bay, described as Lots 1 to 11, inclusive, on Plan 55M-589 registered in the Land Registry Office for the Land Titles Division of Thunder Bay (No. 55).

3. (1) Every use of land and every erection, location or use of buildings or structures is prohibited except one seasonal dwelling per lot and uses, buildings and structures accessory to a seasonal dwelling.

(2) No structure shall be located within 15 metres from the regulatory water level.

4. (1) Nothing in this Order prevents the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner if the dimensions of the original building or structure are not increased or its original use altered.

(2) Nothing in this Order prevents the strengthening or restoration to a safe condition of all or part of any building or structure.

(3) No land to which this Order applies shall be used and no building or structure shall be erected or used except in accordance with the terms of this Order, but nothing in this Order prevents the use of any land, building or structure for any purpose prohibited by this Order if such land, building or structure was lawfully used for such purpose on the day this Order comes into force.

PAULA M. DILL
*Assistant Deputy Minister
Provincial-Municipal Relations Division
Ministry of Municipal Affairs and Housing*

Dated on April 26, 1999.

20/99

ONTARIO REGULATION 257/99
made under the
PLANNING ACT

Made: April 28, 1999
Filed: April 29, 1999

**ZONING AREAS—GEOGRAPHIC TOWNSHIP
OF CROFT, TERRITORIAL DISTRICT
OF PARRY SOUND**

1. In this Order,

"accessory", when used to describe a use, building or structure, means a use, building or structure that is normally incidental or subordinate to the principal use, building or structure located on the same lot;

"dwelling unit" means one or more habitable rooms occupied or capable of being occupied as an independent and a separate housekeeping establishment in which separate kitchen and sanitary facilities are provided for the exclusive use of the occupants;

"lot" means a parcel of land described in a deed or other document legally capable of conveying land;

"seasonal dwelling" means a building containing only one dwelling unit capable of being occupied for recreational residential uses but not occupied as a permanent residence or home.

2. This Order applies to the land in the geographic Township of Croft in the Territorial District of Parry Sound, being composed of part of Lot 8 in Concession IV, being part of Parcel 10693 P.S.S. more particularly described as parts 1 and 3 on Reference Plan 42R-13539 deposited in the Land Titles Office for the Land Titles Division of Parry Sound (No. 42).

3. Every use of land and every erection, location or use of buildings or structures is prohibited except one seasonal dwelling per lot and uses, buildings and structures accessory to a seasonal dwelling.

4. (1) Nothing in this Order prevents the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner if the dimensions of the original building or structure are not increased or its original use altered.

(2) Nothing in this Order prevents the strengthening or restoration to a safe condition of all or part of any building or structure.

(3) No land to which this Order applies shall be used and no building or structure shall be erected or used except in accordance with the terms of this Order, but nothing in this Order prevents the use of any land, building or structure for any purpose prohibited by this Order if such land, building or structure was lawfully used for such purpose on the day this Order comes into force.

PAULA M. DILL
Assistant Deputy Minister
Provincial-Municipal Relations Division
Ministry of Municipal Affairs and Housing

Dated on April 28, 1999.

20/99

ONTARIO REGULATION 258/99
made under the
ANATOMY ACT

Made: April 21, 1999
Filed: April 30, 1999

Amending Reg. 21 of R.R.O. 1990
(General)

Note: Regulation 21 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Subsection 2 (1) of Regulation 21 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(1) Each school shall keep, in the forms approved by the Minister, the following records:

1. Every certificate for anatomical dissection of an unclaimed body received by the school.
2. Every certificate for anatomical dissection of a donated body received by the school.

3. A copy of every receipt for a body completed by the school.

4. Every notice of disposal of a body completed by the school.

5. Every identification tag attached to a body received by the school.

6. An antero posterior photograph and a lateral photograph of the face of each unclaimed body received by the school.

7. A complete set of fingerprints of each unclaimed body received by the school.

(1.1) Each school shall keep the following additional records:

1. Every consent given under the *Human Tissue Gift Act* for use after death of a body received by the school.

2. The burial permit required in connection with the disposal of a body under the *Vital Statistics Act*.

2. Section 3 of the Regulation is amended by striking out "in Form 1" in the second line and substituting "in a form approved by the Minister".

3. Section 4 of the Regulation is amended by striking out "in Form 2" at the end and substituting "in a form approved by the Minister".

4. Section 5 of the Regulation is amended by striking out "in Form 3" at the end and substituting "in a form approved by the Minister".

5. Section 6 of the Regulation is amended by striking out "in Form 4" in the third line and substituting "in a form approved by the Minister".

6. Section 7 of the Regulation is amended by striking out "in Form 5" in the third line and substituting "in a form approved by the Minister".

7. Section 8 of the Regulation is amended by striking out "in Form 6" in the third line and substituting "in a form approved by the Minister".

8. Section 9 of the Regulation is amended by striking out "in Form 7" in the third line and substituting "in a form approved by the Minister".

9. Section 10 of the Regulation is amended by striking out "in Form 8" in the last line and substituting "in a form approved by the Minister".

10. Section 11 of the Regulation is amended by striking out "in Form 9" at the end and substituting "in a form approved by the Minister".

11. Forms 1 to 9 of the Regulation are revoked.

12. This Regulation comes into force on the day section 2 of the *Government Process Simplification Act (Ministries of the Solicitor General and Correctional Services)*, 1997 comes into force.

20/99

ONTARIO REGULATION 259/99

made under the
CORONERS ACT

Made: April 21, 1999
Filed: April 30, 1999

Amending Reg. 180 of R.R.O. 1990
(General)

Note: Regulation 180 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Sections 17 to 41 of Regulation 180 of the Revised Regulations of Ontario, 1990 are revoked.

2. Schedules 5 to 11 to the Regulation are revoked.

3. Forms 1 to 16 of the Regulation are revoked.

4. This Regulation comes into force on the day section 4 of the *Government Process Simplification Act (Ministries of the Solicitor General and Correctional Services)*, 1997 comes into force.

20/99

RÈGLEMENT DE L'ONTARIO 259/99

pris en application de la
LOI SUR LES CORONERS

pris le 21 avril 1999
déposé le 30 avril 1999

modifiant le Règl. 180 des R.R.O. de 1990
(Dispositions générales)

Remarque : Le Règlement 180 a été modifié antérieurement. Ces modifications sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1998.

1. Les articles 17 à 41 du Règlement 180 des Règlements refondus de l'Ontario de 1990 sont abrogés.

2. Les annexes 5 à 11 du Règlement sont abrogées.

3. Les formules 1 à 16 du Règlement sont abrogées.

4. Le présent règlement entre en vigueur le même jour que l'article 4 de la *Loi de 1997 visant à simplifier les processus gouvernementaux aux ministères du Solliciteur général et des Services correctionnels*.

ONTARIO REGULATION 260/99

made under the
MINISTRY OF CORRECTIONAL SERVICES ACT

Made: April 21, 1999
Filed: April 30, 1999

Amending Reg. 778 of R.R.O. 1990
(General)

Note: Regulation 778 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Clause 21 (2) (a) of Regulation 778 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(a) the fee to be paid to the Ministry, as set by the Minister, unless the Minister waives the fee, as partial reimbursement for the cost of food, lodging and clothing supplied to the inmate by the institution;

2. Section 50 of the Regulation is revoked.

3. Form 1 of the Regulation is revoked.

4. This Regulation comes into force on the day section 10 of the *Government Process Simplification Act (Ministries of the Solicitor General and Correctional Services)*, 1997 comes into force.

20/99

RÈGLEMENT DE L'ONTARIO 260/99

pris en application de la
**LOI SUR LE MINISTÈRE DES
SERVICES CORRECTIONNELS**

pris le 21 avril 1999
déposé le 30 avril 1999

modifiant le Règl. 778 des R.R.O. de 1990
(Dispositions générales)

Remarque : Le Règlement 778 a été modifié antérieurement. Ces modifications sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1998.

1. L'alinéa 21 (2) a) du Règlement 778 des Règlements refondus de l'Ontario de 1990 est abrogé et remplacé par ce qui suit :

a) les droits à verser au ministère, tels qu'ils sont établis par le ministre, à moins que ce dernier ne dispense de leur paiement, à titre de remboursement partiel des dépenses faites au titre de la nourriture, de l'hébergement et de l'habillement que l'établissement fournit au détenu;

2. L'article 50 du Règlement est abrogé.

3. La formule 1 du Règlement est abrogée.

4. Le présent règlement entre en vigueur le même jour que l'article 10 de la *Loi de 1997 visant à simplifier les processus gouvernementaux aux ministères du Solliciteur général et des Services correctionnels*.

ONTARIO REGULATION 261/99
made under the
MINISTRY OF CORRECTIONAL SERVICES ACT

Made: April 21, 1999
Filed: April 30, 1999

Revoking Reg. 779 of R.R.O. 1990
(Intermittent Sentences)

1. Regulation 779 of the Revised Regulations of Ontario, 1990 and Ontario Regulation 517/91 are revoked.

2. This Regulation comes into force on the day section 10 of the *Government Process Simplification Act (Ministries of the Solicitor General and Correctional Services)*, 1997 comes into force.

20/99

ONTARIO REGULATION 262/99
made under the
**PRIVATE INVESTIGATORS AND
SECURITY GUARDS ACT**

Made: April 21, 1999
Filed: April 30, 1999

Amending Reg. 938 of R.R.O. 1990
(General)

Note: Regulation 938 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Sections 1, 2, 3 and 4 of Regulation 938 of the Revised Regulations of Ontario, 1990 are revoked and the following substituted:

1. (1) An application for a licence, other than an application for renewal, shall be accompanied by two copies of a photograph one inch by 1¼ inches of each person in respect of whom the application is made and, if the applicant is a partnership or corporation, of each partner or each director and officer of the corporation.

(2) An applicant for a licence shall provide the Registrar with information about the applicant as required in a form approved by the Minister and, where an applicant for a licence is a partnership or corporation, the applicant shall provide the Registrar with such information on each partner or each director and officer of the corporation.

(3) If a licensee is a partnership or a corporation, each new partner, officer and director shall file with the Registrar, within 20 days of becoming a partner, officer or director, the information and material required to be filed under subsections (1) and (2).

ONTARIO REGULATION 263/99
made under the
ANATOMY ACT

Made: April 13, 1999
Filed: April 30, 1999

**FORM OF ORDER FOR DELIVERY
OF A BODY**

1. A court order under section 6 of the Act shall be in the following Form:

RÈGLEMENT DE L'ONTARIO 261/99
pris en application de la
**LOI SUR LE MINISTÈRE DES
SERVICES CORRECTIONNELS**

pris le 21 avril 1999
déposé le 30 avril 1999

abrogeant le Règl. 779 des R.R.O. de 1990
(Sentences discontinuées)

1. Le Règlement 779 des Règlements refondus de l'Ontario de 1990 et le Règlement de l'Ontario 517/91 sont abrogés.

2. Le présent règlement entre en vigueur le même jour que l'article 10 de la *Loi de 1997 visant à simplifier les processus gouvernementaux aux ministères du Solliciteur général et des Services correctionnels*.

(4) An application shall be accompanied by a full set of fingerprints of each person for whom application is made and, where the applicant is a partnership or a corporation, of each partner or director or officer of the corporation unless a full set of fingerprints of the applicant or person has been provided together with a previous licence application or renewal.

(5) The Registrar may require a licensee or a partner, director or officer of a licensee to provide an additional full set of fingerprints at any time.

2. Subsection 6 (1) of the Regulation is amended by striking out "Commissioner" in the first line and substituting "deputy minister".

3. Sections 9, 10 and 11 of the Regulation are revoked.

4. Section 12 of the Regulation is amended by striking out "mechanically" in the second line.

5. Forms 1, 2, 3, 4, 5, 6, 7, 8, 12 and 13 of the Regulation are revoked.

6. (1) Except as provided in subsections (2) and (3), this Regulation comes into force on the day it is filed.

(2) Sections 1, 3 and 5 come into force on the day section 26 of the *Government Process Simplification Act (Ministries of the Solicitor General and Correctional Services)*, 1997 comes into force.

(3) Section 2 comes into force on the day section 13 of the *Government Process Simplification Act (Ministries of the Solicitor General and Correctional Services)*, 1997 comes into force.

20/99

RÈGLEMENT DE L'ONTARIO 263/99
pris en application de la
LOI SUR L'ANATOMIE

pris le 13 avril 1999
déposé le 30 avril 1999

**FORMULE D'ORDONNANCE DE
LIVRAISON D'UN CADAVRE**

1. L'ordonnance judiciaire prévue à l'article 6 de la Loi est rédigée selon la formule suivante :

Form

(Section 6)

Anatomy Act

To whom it may concern

Whereas of (*here state the residence and occupation of the person by whom or on whose behalf the order is applied for*) has satisfied me that he or she is a relative (*or is a friend, or has given an undertaking to dispose of the body*) of , deceased, and is entitled to have the body delivered to him or her for the purpose of disposition.

I hereby authorize and order every person and authority having the present custody or control of the body forthwith upon presentation of this order to deliver it to the said for disposition.

Witness my hand as a justice of the Ontario Court of Justice

this day of,

.....

2. This Regulation comes into force on the day section 2 of the *Government Process Simplification Act (Ministries of the Solicitor General and Correctional Services)*, 1997 comes into force.

R. W. RUNCIMAN
*Solicitor General and
Minister of Correctional Services*

Dated on April 13, 1999.

20/99

ONTARIO REGULATION 264/99
made under the
CORONERS ACT

Made: April 13, 1999
Filed: April 30, 1999

FEES, ALLOWANCES AND FORMS

FEES AND ALLOWANCES

1. A person appointed as a constable under subsection 48 (2) of the Act shall be paid the fees and allowances set out in Schedule 1.

2. A person appointed by a coroner to record the evidence upon an inquest or any part of it shall be paid the fees and allowances set out in Schedule 2.

3. A police officer or a salaried employee of the Government of Ontario shall not be paid a fee or an allowance under section 1 or 2.

4. A person who serves as a juror at an inquest shall be paid the fees and allowances set out in Schedule 3.

5. A person who attends at an inquest as a witness upon the summons of the coroner shall be paid the fees and allowances set out in Schedule 4.

6. The fees and allowances set out in Schedule 5 are payable for,

Formule

(article 6)

Loi sur l'anatomie

À qui de droit,

Attendu que , demeurant à ou au (*indiquer le lieu de résidence et la profession de la personne qui demande ou fait demander l'ordonnance*) m'a convaincu(e) qu'il (elle) était un(e) parent(e) (*ou était un(e) ami(e) ou s'est engagé(e) à disposer du corps*) de , décédé(e), et qu'il (elle) a le droit de prendre livraison du cadavre aux fins de disposition.

Je permets et j'ordonne par la présente à toute personne ou autorité ayant actuellement le cadavre en sa possession ou sous sa garde de le livrer sans délai sur présentation de la présente ordonnance à aux fins de disposition.

Fait sous mon seing le

.....
juge de la Cour de justice de l'Ontario

2. Le présent règlement entre en vigueur le même jour que l'article 2 de la *Loi de 1997 visant à simplifier les processus gouvernementaux aux ministères du Solliciteur général et des Services correctionnels*.

R. W. RUNCIMAN
*Solliciteur général et
ministre des Services correctionnels*

Fait le 13 avril 1999.

RÈGLEMENT DE L'ONTARIO 264/99
pris en application de la
LOI SUR LES CORONERS

pris le 13 avril 1999
déposé le 30 avril 1999

HONORAIRES, INDEMNITÉS ET FORMULES

HONORAIRES ET INDEMNITÉS

1. Les constables nommés en vertu du paragraphe 48 (2) de la Loi ont droit aux honoraires et aux indemnités qui figurent à l'annexe 1.

2. Les personnes nommées par un coroner pour enregistrer les témoignages ou toute partie des témoignages recueillis à une enquête ont droit aux honoraires, aux indemnités et aux droits qui figurent à l'annexe 2.

3. Les agents de police et les employés salariés du gouvernement de l'Ontario n'ont pas droit aux honoraires, aux indemnités et aux droits prévus aux articles 1 et 2.

4. Les jurés à une enquête ont droit aux indemnités qui figurent à l'annexe 3.

5. Les témoins assignés à comparaître à une enquête par le coroner ont droit aux honoraires et aux indemnités qui figurent à l'annexe 4.

6. Figurent à l'annexe 5 les honoraires et les indemnités payables pour :

- (a) a *post mortem* examination of a body;
- (b) any other examination or analysis;
- (c) the use of facilities for *post mortem* examination in a hospital or other place;
- (d) transporting a dead body for further investigation upon the authorization of a coroner; and
- (e) travel in connection with an examination or analysis.

7. For the purposes of the Schedules, the dividing line between northern Ontario and southern Ontario is as follows: —

Healey Lake (Municipal) Road from Healey Lake easterly to its junction with Highway 612; Highway 612 southerly to its junction with Highway 69; Highway 69 easterly to its junction with Highway 169; Highway 169 easterly to its junction with Highway 118; Highway 118 through Bracebridge to its junction with Highway 11; Highway 11 northerly to its junction with Highway 60 at Huntsville; Highway 60 easterly to its junction with Highway 62 at Killaloe; Highway 62 to Pembroke; the above-named highways to be included in southern Ontario.

FORMS

8. A coroner's warrant to take possession of a body shall be in Form 1.

9. A coroner's warrant to bury a body shall be in Form 2.

10. A coroner's warrant for the holding of an inquest shall be in Form 3.

11. A coroner's warrant for a *post mortem* examination shall be in Form 4.

12. A coroner's warrant to a sheriff for the provision of names taken from the jury roll prepared under the *Juries Act* shall be in Form 5.

13. A sheriff's list of names under subsection 34 (2) of the Act shall be in Form 6.

14. A constable's summons to a juror shall be in Form 7.

15. A constable's notice to a person designated as a person with standing at an inquest or to a person who may be substantially and directly interested in the inquest shall be in Form 8.

16. A constable's return in respect of jurors and persons with standing shall be in Form 9.

17. The verdict of a coroner's jury shall be in Form 10.

18. A coroner's notice to the Crown Attorney of the holding of an inquest shall be in Form 11.

19. An affidavit of service of a summons upon a juror or a witness shall be in Form 12.

20. A coroner's certificate for the shipment of a dead body to any place outside Ontario shall be in Form 13.

21. A summons issued under section 40 of the Act shall be in Form 14.

22. A warrant issued under subsection 40 (3) of the Act shall be in Form 15.

- a) les autopsies;
- b) tout autre examen ou toute autre analyse;
- c) l'utilisation des installations pour les autopsies dans un hôpital ou ailleurs;
- d) le transport d'un corps afin de procéder à une investigation supplémentaire avec l'autorisation d'un coroner;
- e) les déplacements relatifs à un examen ou à une analyse.

7. Pour l'application des annexes, la ligne de démarcation entre le nord de l'Ontario et le sud de l'Ontario se trace comme suit :

La route municipale de Healey Lake à partir de Healey Lake vers l'est jusqu'à sa jonction avec la route 612; la route 612 vers le sud jusqu'à sa jonction avec la route 69; la route 69 vers l'est jusqu'à sa jonction avec la route 169; la route 169 vers l'est jusqu'à sa jonction avec la route 118; la route 118 via Bracebridge jusqu'à sa jonction avec la route 11; la route 11 vers le nord jusqu'à sa jonction avec la route 60 à Huntsville; la route 60 vers l'est jusqu'à sa jonction avec la route 62 à Killaloe; la route 62 jusqu'à Pembroke. Les routes susmentionnées font partie du sud de l'Ontario.

FORMULES

8. Le mandat du coroner pour prendre possession d'un corps est rédigé selon la formule 1.

9. Le mandat du coroner pour l'inhumation d'un corps est rédigé selon la formule 2.

10. Le mandat d'enquête du coroner est rédigé selon la formule 3.

11. Le mandat du coroner pour demander une autopsie est rédigé selon la formule 4.

12. Le mandat du coroner exigeant d'un shérif qu'il lui fournisse les noms extraits de la liste des jurés dressée en vertu de la *Loi sur les jurys* est rédigé selon la formule 5.

13. La liste de noms fournie par le shérif aux termes du paragraphe 34 (2) de la Loi est dressée selon la formule 6.

14. L'assignation signifiée à un juré par le constable est rédigée selon la formule 7.

15. L'avis que le constable remet à une personne désignée comme ayant qualité pour agir à l'enquête ou à une personne qui est susceptible d'être considérablement et directement intéressée à l'enquête est rédigé selon la formule 8.

16. Le rapport du constable sur les jurés et les personnes qui ont qualité pour agir à l'enquête est rédigé selon la formule 9.

17. Le jury du coroner rédige son verdict selon la formule 10.

18. L'avis que le coroner donne au procureur de la Couronne concernant la tenue d'une enquête est rédigé selon la formule 11.

19. L'affidavit de signification d'une assignation à un juré ou à un témoin est rédigé selon la formule 12.

20. Le certificat du coroner en vue de l'expédition d'un corps hors de l'Ontario est rédigé selon la formule 13.

21. L'assignation à comparaître délivrée en vertu de l'article 40 de la Loi est rédigée selon la formule 14.

22. Le mandat décerné en vertu du paragraphe 40 (3) de la Loi est rédigé selon la formule 15.

23. This Regulation comes into force on the day section 4 of the *Government Process Simplification Act (Ministries of the Solicitor General and Correctional Services)*, 1997 comes into force.

Schedule 1
CONSTABLES

1.	For summoning a jury for an inquest, a fee per hour of	\$10.00
2.	For attendance at an inquest, a fee per hour of	10.00
3.	Where an inquest continues past one-half day and in the opinion of the coroner it is desirable that a constable be reimbursed the cost of a meal, an amount equal to the amount reasonably and actually paid by the constable for the meal.	
4.	For each kilometre of necessary travel by private automobile in connection with the service of summonses, an allowance in accordance with Schedule 6 (Kilometre Allowances).	

Schedule 2
RECORDING OF EVIDENCE

1. For recording the evidence upon an inquest or any part of it, a fee in accordance with Ontario Regulation 587/91 (Court Reporters and Court Monitors).
2. For copies of the transcription of the evidence upon an inquest, a fee payable by the person ordering or requesting the transcripts in accordance with Ontario Regulation 587/91 (Court Reporters and Court Monitors).
3. Where a person appointed to record the evidence upon an inquest resides elsewhere than the place where the inquest is held and in the opinion of the coroner it is desirable that the person remain overnight at such place, an amount equal to the amount reasonably and actually paid by the person for overnight accommodation.
4. Where an inquest continues past one-half day and in the opinion of the coroner it is desirable that a person appointed to record the evidence upon the inquest be reimbursed the cost of a meal, an amount equal to the amount reasonably and actually paid by the person for the meal.
5. Where a person appointed to record the evidence upon an inquest resides elsewhere than the place where the inquest is held, for each kilometre of necessary travel by private automobile between the person's residence and the place where the inquest is held, an allowance in accordance with Schedule 6 (Kilometre Allowances).

Schedule 3
JURORS

1.	For each day of attendance at an inquest after the tenth day, up to and including the forty-ninth day, a fee of	\$ 50.00
2.	For each day of attendance at an inquest after the forty-ninth day, a fee of	100.00

23. Le présent règlement entre en vigueur le même jour que l'article 4 de la *Loi de 1997 visant à simplifier les processus gouvernementaux aux ministères du Solliciteur général et des Services correctionnels*.

Annexe 1
CONSTABLES

1.	Pour l'assignation d'un jury à une enquête, des honoraires de	10,00 \$ l'heure
2.	Pour se présenter à une enquête, des honoraires de	10,00 \$ l'heure
3.	Lorsqu'une enquête se poursuit au-delà d'une demi-journée et que le coroner juge qu'il est souhaitable de rembourser le prix d'un repas au constable, une indemnité égale au montant raisonnable effectivement payé par le constable pour ce repas.	
4.	Pour chaque kilomètre dans le cas d'un déplacement nécessaire en voiture particulière relativement à la signification des assignations, l'indemnité prévue à l'annexe 6 (Indemnités de kilométrage).	

Annexe 2
ENREGISTREMENT DES TÉMOIGNAGES

1. Pour l'enregistrement des témoignages ou de toute partie des témoignages recueillis à une enquête, les honoraires prévus par le Règlement de l'Ontario 587/91 (Sténographes judiciaires et préposés à l'enregistrement magnétique).
2. Pour des copies de la transcription des témoignages recueillis à une enquête, les droits payables par la personne qui en fait la demande, lesquels sont prévus par le Règlement de l'Ontario 587/91 (Sténographes judiciaires et préposés à l'enregistrement magnétique).
3. Lorsque la personne nommée pour enregistrer les témoignages recueillis à une enquête réside ailleurs qu'à l'endroit où se tient l'enquête et que le coroner juge qu'il est souhaitable que cette personne passe la nuit à cet endroit, une indemnité égale au montant raisonnable effectivement payé par la personne pour son logement pour la nuit.
4. Lorsqu'une enquête se poursuit au-delà d'une demi-journée et que le coroner juge qu'il est souhaitable de rembourser le prix d'un repas à la personne nommée pour enregistrer les témoignages recueillis à l'enquête, une indemnité égale au montant raisonnable effectivement payé par la personne pour ce repas.
5. Lorsque la personne nommée pour enregistrer les témoignages recueillis à une enquête réside ailleurs qu'à l'endroit où se tient l'enquête, pour chaque kilomètre dans le cas d'un déplacement nécessaire en voiture particulière entre le lieu de résidence de cette personne et l'endroit où se tient l'enquête, l'indemnité prévue à l'annexe 6 (Indemnités de kilométrage).

Annexe 3
JURÉS

1.	Pour chaque jour de présence à une enquête après le dixième jour, jusqu'au quarante-neuvième jour inclusivement, une indemnité de	50,00 \$
2.	Pour chaque jour de présence à une enquête après le quarante-neuvième jour, une indemnité de ..	100,00

3.	For each kilometre of necessary travel by private automobile between the juror's place of residence and the place where the inquest is held, an allowance in accordance with Schedule 6 (Kilometre Allowances), but where the inquest is held in the locality in which the juror resides, a total allowance of \$3.	
4.	Where a juror is required to attend the inquest on more than one day and it is reasonable that the juror return to his or her place of residence at night, the allowance mentioned in paragraph 3 is payable in respect of each day's attendance.	
5.	Where a juror resides elsewhere than the place where the inquest is held and in the opinion of the coroner it is desirable that the juror remain overnight at such place, an amount equal to the amount reasonably and actually paid by the juror for overnight accommodation.	
6.	Where an inquest continues past one-half day and in the opinion of the coroner it is desirable that a juror be reimbursed the cost of a meal, an amount equal to the amount reasonably and actually paid by the juror for the meal.	
7.	If in special circumstances a juror incurs expenses, other than travel, accommodation or meal expenses, related to his or her attendance at an inquest, an allowance in respect of the expenses in such amount as is approved by the Chief Coroner.	

Schedule 4**WITNESSES**

1. For each day of attendance of an expert witness, including the medical practitioner who performed the *post mortem* examination of the body, such fee not exceeding \$200 as the coroner considers proper or such greater fee as the Chief Coroner approves if, in his or her opinion, the greater fee is justified having regard to the special circumstances of the case.
2. For each kilometre of necessary travel by private automobile between the place of residence of the witness and the place where the inquest is held, an allowance in accordance with Schedule 6 (Kilometre Allowances), but where the inquest is held in the locality in which the witness resides, a total allowance of \$3.
3. Where a witness actually, reasonably and necessarily travels by a means other than by private automobile, an amount equal to the amount of the fare actually, reasonably and necessarily paid for the transportation from his or her place of residence to the place where the inquest is held and return.
4. Where a witness is required to attend the inquest on more than one day and it is reasonable that the witness returns to his or her place of residence at night, the allowance mentioned in paragraph 2 or 3, as the case may be, is payable in respect of each day's attendance.
5. Where a witness resides elsewhere than the place where the inquest is held and in the opinion of the coroner it is desirable that the witness remain overnight at such place, an amount equal to the amount reasonably and actually paid by the witness for overnight accommodation.
6. Where a witness is required to attend the inquest past one-half day and in the opinion of the coroner it is desirable that the wit-

3.	Pour chaque kilomètre dans le cas d'un déplacement nécessaire en voiture particulière entre le lieu de résidence du juré et l'endroit où se tient l'enquête, l'indemnité prévue à l'annexe 6 (Indemnités de kilométrage), mais lorsque l'enquête se tient dans la localité où réside le juré, une indemnité totale de 3 \$.	
4.	Lorsqu'un juré est tenu d'être présent à l'enquête pendant plus d'une journée et qu'il est raisonnable qu'il retourne à son lieu de résidence pour la nuit, l'indemnité mentionnée à la disposition 3 pour chaque jour de présence à l'enquête.	
5.	Lorsqu'un juré réside ailleurs qu'à l'endroit où se tient l'enquête et que le coroner juge qu'il est souhaitable qu'il passe la nuit à cet endroit, une indemnité égale au montant raisonnable effectivement payé par le juré pour son logement pour la nuit.	
6.	Lorsqu'une enquête se poursuit au-delà d'une demi-journée et que le coroner juge qu'il est souhaitable de rembourser le prix d'un repas au juré, une indemnité égale au montant raisonnable effectivement payé par le juré pour ce repas.	
7.	Si, dans des circonstances particulières, un juré engage, en raison de sa présence à une enquête, des frais autres que des frais de déplacement, de logement ou de repas, une indemnité que le coroner en chef approuve.	

Annexe 4**TÉMOINS**

1. Pour chaque jour de présence d'un témoin expert, notamment le médecin qui a pratiqué l'autopsie, des honoraires que le coroner juge appropriés, mais dont le montant ne dépasse pas 200 \$, ou un montant plus élevé approuvé par le coroner en chef, si celui-ci juge que des circonstances particulières le justifient.
2. Pour chaque kilomètre dans le cas d'un déplacement nécessaire en voiture particulière entre le lieu de résidence du témoin et l'endroit où se tient l'enquête, l'indemnité prévue à l'annexe 6 (Indemnités de kilométrage), mais lorsque l'enquête se tient dans la localité où réside le témoin, une indemnité totale de 3 \$.
3. Lorsqu'un témoin se déplace par un moyen de transport autre qu'une voiture particulière et que le déplacement est raisonnable et nécessaire, une indemnité égale au montant du billet raisonnable et nécessaire effectivement payé pour le voyage aller-retour entre son lieu de résidence et l'endroit où se tient l'enquête.
4. Lorsqu'un témoin est tenu d'être présent à l'enquête pendant plus d'une journée et qu'il est raisonnable qu'il retourne à son lieu de résidence pour la nuit, l'indemnité mentionnée à la disposition 2 ou 3, selon le cas, pour chaque jour de présence à l'enquête.
5. Lorsqu'un témoin réside ailleurs qu'à l'endroit où se tient l'enquête et que le coroner juge qu'il est souhaitable qu'il passe la nuit à cet endroit, une indemnité égale au montant raisonnable effectivement payé par le témoin pour son logement pour la nuit.
6. Lorsqu'un témoin est tenu d'être présent à l'enquête pendant plus d'une demi-journée et que le coroner juge qu'il est souhaita-

ness be reimbursed the cost of a meal, an amount equal to the amount reasonably and actually paid by the witness for the meal.

7. If in special circumstances a witness incurs expenses, other than travel, accommodation or meal expenses, related to his or her attendance at an inquest, an allowance in respect of the expenses in such amount as is approved by the Chief Coroner.

Schedule 5

POST MORTEM EXAMINATIONS, ETC.

1.	For a <i>post mortem</i> examination by a legally qualified medical practitioner, including necessary microscopic sections to prove diagnosis and including the service of an assistant when necessary, a fee of	\$478.00
2.	For any other examination or analysis, such fee not exceeding \$50 as the coroner considers proper or such greater fee as the Chief Coroner may in special circumstances approve.	
3.	For the use of facilities for <i>post mortem</i> examination in a hospital or other place, for each <i>post mortem</i> examination, a fee of	50.00
4.	The fee mentioned in paragraph 1 or 3 may be increased by the Chief Coroner to such amount as he or she considers appropriate where, in his or her opinion, the increase is justified having regard to the special circumstances of the case.	
5.	For transporting a dead body for further investigation on the authorization of the coroner, the greater of, i. a fee of \$87, and ii. an allowance for necessary travel to pick up the body, deliver the body and return to the place of origin, calculated at the rate of, A. \$1.27 for each kilometre in southern Ontario, and B. \$1.32 for each kilometre in northern Ontario.	
6.	If more than one dead body is transported on the same trip for further investigation on the authorization of the coroner, a fee of \$24 for each additional body.	
7.	For waiting time in excess of one-half hour necessarily incurred in connection with the transportation of a dead body or bodies for further investigation on the authorization of the coroner, a fee of \$24 per hour.	
8.	Where it is necessary to transport a dead body by a means other than a motor vehicle, or where transportation by a means other than a motor vehicle is more economical, an amount equal to the amount actually, reasonably and necessarily paid for the transportation of the dead body.	

ble de rembourser le prix d'un repas au témoin, une indemnité égale au montant raisonnable effectivement payé par le témoin pour ce repas.

7. Si, dans des circonstances particulières, un témoin engage, en raison de sa présence à une enquête, des frais autres que des frais de déplacement, de logement ou de repas, une indemnité que le coroner en chef approuve.

Annexe 5

AUTOPSIES

1.	Pour une autopsie pratiquée par un médecin dûment qualifié, notamment les coupes histologiques nécessaires pour corroborer un diagnostic et, au besoin, les services d'un adjoint, des honoraires de	478,00 \$
2.	Pour tout autre examen ou toute autre analyse, des honoraires que le coroner juge appropriés, mais dont le montant ne dépasse pas 50 \$, ou des honoraires plus élevés que le coroner en chef peut approuver dans des circonstances particulières.	
3.	Pour l'utilisation des installations pour une autopsie dans un hôpital ou ailleurs, dans le cas de chaque autopsie, une indemnité de	50,00
4.	Le coroner en chef peut porter les honoraires ou l'indemnité mentionnés à la disposition 1 ou 3 à un montant qu'il juge approprié si, à son avis, des circonstances particulières justifient l'augmentation.	
5.	Pour le transport d'un corps afin de procéder à une investigation supplémentaire sur autorisation du coroner, le plus élevé des montants suivants : i. des honoraires de 87 \$, ii. dans le cas d'un déplacement nécessaire pour aller chercher le corps, le livrer et retourner au point de départ, une indemnité calculée au taux de : A. 1,27 \$ pour chaque kilomètre dans le sud de l'Ontario, B. 1,32 \$ pour chaque kilomètre dans le nord de l'Ontario.	
6.	Si plus d'un corps est transporté au cours du même voyage pour procéder à une investigation supplémentaire sur autorisation du coroner, des honoraires de 24 \$ pour chaque corps additionnel.	
7.	Pour un délai d'attente de plus d'une demi-heure rendu nécessaire dans le cas du transport d'un ou de plusieurs corps en vue de procéder à une investigation supplémentaire sur autorisation du coroner, des honoraires de 24 \$ l'heure.	
8.	Lorsqu'il est nécessaire ou plus économique de transporter un corps par un moyen de transport autre qu'un véhicule automobile, une indemnité égale au montant raisonnable et nécessaire effectivement payé pour le transport du corps.	

9.	The fee mentioned in paragraph 5 may be increased by the Chief Coroner if, in the opinion of the Chief Coroner, the increase is justified having regard to the special circumstances of the case.	
10.	For each kilometre of necessary travel by private automobile by a legally qualified medical practitioner in connection with an examination or analysis, an allowance in accordance with Schedule 6 (Kilometre Allowances).	

Schedule 6**KILOMETRE ALLOWANCES**

1. The following kilometre allowances are payable for travel under paragraph 4 of Schedule 1, paragraph 5 of Schedule 2, paragraph 3 of Schedule 3, paragraph 2 of Schedule 4 and paragraph 10 of Schedule 5:

- i. 30.5 cents per kilometre in northern Ontario,
- ii. 30 cents per kilometre in southern Ontario.

Form 1*Coroners Act***WARRANT TO TAKE POSSESSION OF THE BODY OF A DECEASED PERSON**

I issue this warrant to take possession of the body of

..... now at

Dated at

.....
Coroner

for Area No.

Form 2*Coroners Act***WARRANT TO BURY THE BODY OF A DECEASED PERSON**

I issue this warrant to bury the body of

..... who died at

on

Dated at

.....
Coroner

for Area No.

Note: This is not a burial permit under the *Vital Statistics Act*. A burial permit under that Act is also required.

9.	Le coroner en chef peut majorer les honoraires ou l'indemnité mentionnés à la disposition 5 si, à son avis, des circonstances particulières justifient l'augmentation.	
10.	Pour chaque kilomètre dans le cas d'un déplacement nécessaire en voiture particulière par un médecin dûment qualifié relativement à un examen ou à une analyse, l'indemnité prévue à l'annexe 6 (Indemnités de kilométrage).	

Annexe 6**INDEMNITÉS DE KILOMÉTRAGE**

1. Les indemnités de kilométrage suivantes sont payables dans le cas d'un déplacement effectué en vertu de la disposition 4 de l'annexe 1, de la disposition 5 de l'annexe 2, de la disposition 3 de l'annexe 3, de la disposition 2 de l'annexe 4 et de la disposition 10 de l'annexe 5 :

- i. 30,5 cents le kilomètre dans le nord de l'Ontario,
- ii. 30 cents le kilomètre dans le sud de l'Ontario.

Formule 1*Loi sur les coroners***MANDAT DE PRISE DE POSSESSION DU CORPS D'UN DÉFUNT**

Je décerne le présent mandat pour la prise de possession

du corps de qui se trouve à l'heure actuelle à

Fait le à

.....
coroner

Secteur n°

Formule 2*Loi sur les coroners***MANDAT D'INHUMATION DU CORPS D'UN DÉFUNT**

Je décerne le présent mandat pour l'inhumation du corps de

..... qui est décédé(e) à

le

Fait le à

.....
coroner

Secteur n°

Remarque : La présente n'étant pas un permis d'inhumation visé par la *Loi sur les statistiques de l'état civil*, il y a lieu d'obtenir également un permis d'inhumation aux termes de cette loi.

Form 3*Coroners Act***WARRANT FOR HOLDING AN INQUEST**

TO:

I direct you to summon five persons qualified to serve as jurors to appear before me at on at the hour of in an inquest into the death of

And I direct you to appear before me at that time and place and to make a return of those you have summoned.

And I further direct you to notify the next-of-kin of the deceased person of the date, time and place of the inquest and also the following persons who may be substantially and directly interested in the inquest:

1.
2.
3.
4.

Dated at

Coroner

for Area No.

Form 4*Coroners Act***WARRANT FOR POST MORTEM EXAMINATION**

TO: , a legally qualified medical practitioner.

I direct that a *post mortem* examination be made by you of the body of and that the following special examinations or analyses be made by you:

Case History:

Dated at

Coroner

for Area No.

Form 5*Coroners Act***WARRANT FOR THE PROVISION OF NAMES FROM THE JURY ROLL**

TO:

Sheriff

Formule 3*Loi sur les coroners***MANDAT D'ENQUÊTE**

DESTINATAIRE :

Je vous ordonne d'assigner cinq personnes compétentes à titre de jurés, lesquelles devront se présenter devant moi à le à h pour une enquête sur le décès de

Je vous ordonne aussi de vous présenter devant moi à l'heure et à l'endroit mentionnés ci-dessus et de me soumettre un rapport sur les personnes que vous avez assignées.

Je vous ordonne enfin de communiquer la date, l'heure et le lieu de l'enquête aux plus proches parents du défunt, ainsi qu'aux personnes suivantes, qui sont susceptibles d'être considérablement et directement intéressées à l'enquête :

1.
2.
3.
4.

Fait le à

coroner

Secteur n°

Formule 4*Loi sur les coroners***MANDAT POUR DEMANDER UNE AUTOPSIE**

DESTINATAIRE : , médecin dûment qualifié.

Je vous ordonne de pratiquer une autopsie sur le corps de et de faire les analyses ou les examens spéciaux suivants :

Antécédents :

Fait le à

coroner

Secteur n°

Formule 5*Loi sur les coroners***MANDAT POUR OBTENIR LES NOMS EXTRAITS DE LA LISTE DES JURÉS**

DESTINATAIRE :

shérif

I direct that you provide to me from the jury roll prepared under the *Juries Act* the names of persons, together with their ages, places of residence, occupations and respective numbers on the jury roll, required for service as jurors at an inquest or inquests to be held in the
(municipality)

Dated at

Coroner

for Area No.

Form 6

Coroners Act

SHERIFF'S LIST OF NAMES PROVIDED FROM THE JURY ROLL

TO:
Coroner

In compliance with your warrant dated, requiring the names of persons for service as jurors at an inquest or inquests, I submit the following list of names taken from the jury roll prepared under the *Juries Act*:

Name	Place of Residence	Age	Occupation	Jury Roll Number
------	--------------------	-----	------------	------------------

.....

Sheriff

for

Dated at

Form 7

Coroners Act

SUMMONS TO SERVE AS A JUROR ON AN INQUEST

Re:, deceased.

To:

Pursuant to a warrant issued by, coroner, you are hereby summoned and required to attend as a juror at on at the hour of at an inquest into the death of

Dated at

Constable

Note: If you fail to attend at the inquest at the time and place specified, without lawful excuse, you are liable to punishment by the Divisional Court in the same manner as if for contempt of that Court.

Je vous ordonne de me fournir, à partir de la liste des jurés dressée aux termes de la *Loi sur les jurys*, les noms de personnes, ainsi que leurs âge, lieu de résidence, profession et matricule respectif sur la liste des jurés, qui seront membres du jury au cours d'une ou de plusieurs enquêtes devant se tenir à
(municipalité)

Fait le à

coroner

Secteur n°

Formule 6

Loi sur les coroners

LISTE DES NOMS EXTRAITS DE LA LISTE DES JURÉS PAR LE SHÉRIF

DESTINATAIRE:
coroner

Conformément à votre mandat daté du et exigeant les noms de personnes pour être membres du jury au cours d'une ou de plusieurs enquêtes, je vous soumetts la liste de noms suivante tirée de la liste des jurés dressée aux termes de la *Loi sur les jurys*:

Nom	Lieu de résidence	Âge	Profession	Matricule sur la liste des jurés
-----	-------------------	-----	------------	----------------------------------

.....

shérif

pour

Fait le à

Formule 7

Loi sur les coroners

ASSIGNATION D'UN JURÉ À UNE ENQUÊTE

Dans l'affaire de:, décédé(e).

Destinataire:

Conformément au mandat décerné par, coroner, vous êtes par la présente assigné(e) comme juré et tenu(e) de vous présenter à le à h pour une enquête sur le décès de

Fait le à

constable

Remarque: Si vous omettez, sans excuse légitime, de vous présenter à l'enquête aux date, heure et lieu indiqués, vous êtes passible d'une peine imposée par la Cour divisionnaire comme si vous vous étiez rendu(e) coupable d'outrage à ce tribunal.

Form 8

Coroners Act

NOTICE OF HOLDING OF INQUEST

Re:, deceased.

To:

.....

.....

Take notice that an inquest will be held at
 on at the hour of into
 the death of

And take notice that you may attend at the inquest and that if you
 have not been designated as a person with standing at the inquest you
 may apply, either before or during the inquest, to the coroner to
 designate you as a person with standing at the inquest.

.....
 Date Constable

Form 9

Coroners Act

RETURN OF CONSTABLE

Re:, deceased.

I,, of state that:

1. Pursuant to the warrant for holding an inquest issued by
, a coroner for Area No.,
 on, the following persons were summoned
 by me to attend on at the hour of
 as jurors at this inquest.

Name	Address	Occupation
(a)
(b)
(c)
(d)
(e)

2. I believe that each person so summoned is qualified to serve as
 a juror.

3. The following next-of-kin of the deceased person have been
 notified of the date, time and place of the inquest:

Name	Address	Relationship to Deceased
(a)
(b)
(c)

Formule 8

Loi sur les coroners

AVIS DE TENUE D'ENQUÊTE

Dans l'affaire de :, décédé(e).

Destinataire :

.....

.....

Veillez prendre note qu'une enquête sera tenue à
 le à h, sur le décès de

Veillez prendre note également que vous pouvez vous présenter à
 l'enquête et que, si vous n'avez pas été désigné(e) comme personne
 ayant qualité pour agir à l'enquête, vous pouvez demander au coroner,
 avant ou au cours de l'enquête, de vous désigner comme telle.

.....
 date constable

Formule 9

Loi sur les coroners

RAPPORT DU CONSTABLE

Dans l'affaire de :, décédé(e).

Je soussigné(e),, de, déclare ce qui suit :

1. Conformément au mandat d'enquête décerné par,
 coroner pour le secteur n°, le,
 j'ai assigné les personnes suivantes pour être membres du jury à
 l'enquête qui se tiendra le à h :

Nom	Adresse	Profession
a)
b)
c)
d)
e)

2. Je crois que chacune de ces personnes est apte à être membre du
 jury.

3. Les plus proches parents suivants du défunt ont été informés de
 la date, de l'heure et du lieu de l'enquête :

Nom	Adresse	Lien de parenté avec le défunt
a)
b)
c)

4. The following persons who have been designated as persons with standing at the inquest or who may be substantially and directly interested in the inquest have also been notified of the date, time and place of the inquest:

Name	Address
(a)
(b)
(c)
(d)
.....
Date	Constable

Form 10*Coroners Act***VERDICT OF CORONER'S JURY**

We, of
 of
 of
 of
 the jury serving on the inquest into the death of
 surname

given name

aged, held at on

by coroner for Area No., having
 been duly sworn, have inquired into and determined the following:

1. Name of deceased:
2. Date and time of death:
3. Place of death:
4. Cause of death:
5. By what means:

We wish to make the following recommendations:

Signatures of Jurors)
)
)
)
)
)
)
)
)
)

Foreman

This verdict was received by me on

Coroner

for Area No.

4. Les personnes suivantes qui ont été désignées comme ayant qualité pour agir à l'enquête ou qui sont susceptibles d'être considérablement et directement intéressées à l'enquête ont également été informées de la date, de l'heure et du lieu de l'enquête :

Nom	Adresse
a)
b)
c)
d)
.....
date	constable

Formule 10*Loi sur les coroners***VERDICT DU JURY DU CORONER**

Nous soussignés, de
 de
 de
 de
 membres dûment assermentés du jury à l'enquête sur le décès de
 nom de famille

prénom

à l'âge de, tenue à le

par coroner pour le secteur n° .., avons fait enquête
 dans l'affaire et avons conclu ce qui suit :

1. Nom du défunt :
2. Date et heure du décès :
3. Lieu du décès :
4. Cause du décès :
5. Circonstances du décès :

Nous souhaitons faire les recommandations suivantes :

Signature des jurés)
)
)
)
)
)
)
)
)
)

président

J'ai reçu le présent verdict le

coroner

Secteur n°

Form 11*Coroners Act***NOTICE OF HOLDING OF INQUEST**

Re: , deceased.

To:

Crown Attorney,

Take notice that an inquest will be held into the death of ,
 on at the hour of

Date

Coroner

for Area No.

Form 12*Coroners Act***AFFIDAVIT OF SERVICE**

I, , of the

of in the

of

(occupation)

make oath and say that I did on serve

.....

with a true copy of the attached summons,

Strike out inapplicable clause

*(a) by delivering the same to and
 leaving the same with the
 said; at ; or

*(b) by sending the same by
 registered mail addressed to
 the usual place of abode of
 the said

at

Sworn before me this)

day of ,)

at the)

of)

in the of)

.....)

A Commissioner, etc.

Formule 11*Loi sur les coroners***AVIS DE TENUE D'ENQUÊTE**

Dans l'affaire de : , décédé(e).

Destinataire :

procureur de la Couronne.

Veuillez prendre note qu'une enquête sera tenue sur le décès de
 le , à h

date

coroner

Secteur n°

Formule 12*Loi sur les coroners***AFFIDAVIT DE SIGNIFICATION**

Je soussigné(e), , de

de dans le/la/l'

de

(profession)

déclare sous serment que le

(date)

j'ai signifié à une copie conforme
 de l'assignation ci-jointe,

Radier l'alinéa inapplicable :

*a) en la remettant en mains pro-
 pres à
 à

*b) en l'envoyant par courrier re-
 commandé adressé au lieu de
 résidence habituel de

à

Fait sous serment devant moi)

le)

à de)

dans le/la/l')

de)

.....)

commissaire

Form 13

Coroners Act

CERTIFICATE FOR SHIPMENT OF BODY
OUTSIDE ONTARIO

Re:, deceased.

I,,
coroner, do certify that I have investigated the death of
aged now lying at
in the of
in the Province of Ontario and that there exists no reason for further
examinations of the body. The cause of death is as follows:

The body is free of communicable Yes
disease: No

(If no, the death must be reported to the local medical officer of
health.)

Date

Coroner

for Area No.

Address

Telephone Number

Note: The completion of this Form in no way obviates the require-
ments of the *Vital Statistics Act*. The death must be registered
and a burial permit obtained.

Form 14

Coroners Act

(Section 40)

SUMMONS TO A WITNESS BEFORE AN INQUEST

Re:, deceased.

To:

You are hereby summoned and required to attend before an inquest
to be held at in the
of on at the hour of
..... (local time), and so from day to day
until the inquest is concluded or the coroner otherwise orders, to give
evidence on oath or affirmation touching the matters in question in the
proceedings and to bring with you and produce at such time and place

Dated

Coroner

for Area No.

Note: If you fail to attend and give evidence at the inquest or to pro-
duce the documents or things specified, at the time and place
specified, without lawful excuse, you are liable to punishment
by a judge of the Superior Court of Justice in the same manner
as if for contempt of that court for disobedience to a summons.

Formule 13

Loi sur les coroners

CERTIFICAT EN VUE DE L'EXPÉDITION
DU CORPS HORS DE L'ONTARIO

Dans l'affaire de :, décédé(e).

Je soussigné(e), ,
coroner, atteste que j'ai procédé à une investigation sur le décès
de , âgé(e) de , qui repose maintenant à
..... dans le/la/l' de ,
dans la province de l'Ontario, et qu'il n'existe aucune raison de procéder
à d'autres examens du corps. La cause du décès est la suivante :

Le corps est exempt de toute maladie Oui
transmissible : Non

(Dans la négative, il faut signaler le décès au médecin-hygiéniste
local.)

date

coroner

N° de secteur :

adresse

numéro de téléphone

Remarque : Le fait de remplir la présente formule ne constitue en
aucune façon une dispense des exigences de la *Loi sur
les statistiques de l'état civil*. Il faut enregistrer le décès
et obtenir un permis d'inhumation.

Formule 14

Loi sur les coroners

(article 40)

ASSIGNATION À COMPARAÎTRE POUR TÉMOIGNER
À UNE ENQUÊTE DU CORONER

Dans l'affaire de :, décédé(e).

Destinataire :

Vous êtes par la présente assigné(e) à comparaître et tenu(e) de
vous présenter à l'enquête du coroner qui se tiendra à
dans le/la/l' de
le à h (heure locale) et de
vous présenter ainsi chaque jour jusqu'à la fin de l'enquête ou jusqu'à ce
que le coroner n'ordonne autrement, d'y témoigner sous serment ou
affirmation solennelle sur les affaires dont il est question dans l'instance
et d'apporter avec vous et de produire à ces dates, heure et lieu :

Fait le

coroner

Secteur n°

Remarque : Si vous omettez, sans excuse légitime, de comparaître et
de témoigner à l'enquête ou de produire les documents ou
les choses précisés à la date, à l'heure et au lieu indiqués,
vous êtes passible d'une peine imposée par un juge de la
Cour supérieure de justice comme si vous vous étiez ren-
du(e) coupable d'outrage à ce tribunal pour désobéissance
à une assignation.

Form 15*Coroners Act**(Subsection 40 (3))***BENCH WARRANT**

PROVINCE OF ONTARIO

TO: Sheriff, etc.

WHEREAS proof has been made before me that
 was duly summoned to appear before an inquest into the death of
 deceased, at Toronto (*or as*
the case may be) on the day of ;
 that the presence of the said person is material to the inquest, and that the
 said person has failed to attend in accordance with the requirements of
 the summons.

THESE are therefore to command you to take the said
 to bring and have him (*or her*) before the said inquest at Toronto (*or as*
the case may be) there to testify what he (*or she*) may know concerning
 the matters in question in the said inquest, and that you detain him (*or*
her) in your custody until he (*or she*) has given his (*or her*) evidence or
 until the said inquest has ended or until other orders may be made
 concerning him (*or her*).

GIVEN UNDER MY HAND this
 day of , at

 Judge of the Superior Court of Justice

R. W. RUNCIMAN
Solicitor General and Minister of Correctional Services

Dated on April 13, 1999.

20/99

ONTARIO REGULATION 265/99
 made under the
MINISTRY OF CORRECTIONAL SERVICES ACT

Made: April 13, 1999
 Filed: April 30, 1999

FORM OF WARRANT

1. The warrant referred to in section 39 of the Act shall be in the
 following Form:

Form*Ministry of Correctional Services Act***CANADA-WIDE WARRANT**To: *All Peace Officers and Superintendents of provincial institutions***WHEREAS**

on (*date*) parole was granted, subject to the
 conditions and provisions set forth in a certificate of parole issued
 under section 35 of the *Ministry of Correctional Services Act* to:

Formule 15*Loi sur les coroners**(paragraphe 40 (3))***MANDAT D'AMENER**

PROVINCE DE L'ONTARIO

DESTINATAIRE : , shérif, etc.

ATTENDU que la preuve a été faite devant moi que
 a été dûment assigné(e) à comparaître à une enquête sur le décès de
 , tenue à Toronto (*ou ailleurs selon*
le cas) le ; que la présence de
 cette personne est importante pour l'enquête et qu'elle a omis de s'y pré-
 senter conformément aux exigences de l'assignation à comparaître.

PAR CONSÉQUENT, IL VOUS EST PAR LA PRÉSENTE enjoint
 d'arrêter , de
 le (*la*) conduire à l'enquête tenue à Toronto (*ou ailleurs selon le cas*)
 pour témoigner sur ce qu'il (*elle*) est susceptible de savoir de l'affaire en
 question et de le (*la*) détenir sous garde jusqu'à ce qu'il (*elle*) ait
 témoigné, que l'enquête soit terminée ou que des ordonnances
 différentes puissent être rendues à son sujet, le cas échéant.

FAIT SOUS MON SEING le
 à

 juge de la Cour supérieure de justice

R. W. RUNCIMAN
Solliciteur général et ministre des Services correctionnels

Fait le 13 avril 1999.

RÈGLEMENT DE L'ONTARIO 265/99
 pris en application de la
LOI SUR LE MINISTÈRE DES
SERVICES CORRECTIONNELS

pris le 13 avril 1999
 déposé le 30 avril 1999

FORMULE DE MANDAT

1. Le mandat visé à l'article 39 de la Loi est rédigé selon la formule
 suivante :

Formule*Loi sur le ministère des Services correctionnels***MANDAT D'ARRÊT À L'ÉCHELLE DU CANADA**

*Destinataires : Tous les agents de la paix et tous les chefs d'établisse-
 ment des établissements provinciaux*

ATTENDU QUE

le (*date*), sous réserve des conditions et dis-
 positions énoncées dans un certificat de libération conditionnelle déli-
 vré en vertu de l'article 35 de la *Loi sur le ministère des Services*
correctionnels, la libération conditionnelle a été accordée à :

Name , D.O.B.: who was convicted of
 on and was sentenced to
 and was at the date of the certificate of parole
 confined in

AND WHEREAS

I am a person having authority under the *Ministry of Correctional Services Act* to authorize the arrest and return to a correctional institution of a person on parole whenever I believe, on reasonable and probable grounds, that the person has failed to observe any condition of his or her parole.

NOW THEREFORE

under the authority vested in me I hereby command you in Her Majesty's name to arrest , residing last at (if address known) and return him or her to a provincial correctional institution and I command you, the Superintendent, to receive him or her in your custody and to keep him or her there until duly discharged.

AUTHORIZATION—Authorized by a member of the Board of Parole, or a person designated by the Board under section 39 of the *Ministry of Correctional Services Act*.

Signature	Name of Parole Officer
Name and Position (print)	Telephone Number
Office Address	Fax Number
Dated	at

EXECUTION—Executed and read to the subject by the undersigned at the time of execution of warrant.

Signature of Peace Officer	Detachment Address
Name (print)	
Badge No.	
Date:	

Jurisdiction: In accordance with subsection 137 (1) of the *Corrections and Conditional Release Act* (Canada), a warrant of apprehension issued by the Ontario Board of Parole or an electronically transmitted copy thereof, shall be executed by any peace officer to whom it is given in ANY PLACE IN CANADA as if it had been originally issued or subsequently endorsed by a justice or other lawful authority having jurisdiction in that place.

2. This Regulation comes into force on the day section 10 of the *Government Process Simplification Act* (Ministries of the Solicitor General and Correctional Services), 1997 comes into force.

R. W. RUNCIMAN
 Solicitor General and Minister of Correctional Services

Dated on April 13, 1999.

20/99

(Nom) , né(e) le , qui a été reconnu(e)
 coupable de le , a été
 condamné(e) à et se trouvait, à la date du
 certificat de libération conditionnelle, incarcéré(e) à

ATTENDU QUE

je suis habilité(e) en vertu de la *Loi sur le ministère des Services correctionnels* à autoriser l'arrestation et le renvoi à un établissement correctionnel d'une personne en liberté conditionnelle lorsque j'ai des motifs raisonnables et probables de croire que cette personne ne s'est pas conformée à une condition de sa libération conditionnelle,

PAR CONSÉQUENT,

en vertu des pouvoirs qui me sont conférés, je vous ordonne par la présente, au nom de Sa Majesté, d'arrêter , dont le dernier domicile connu était le (si l'adresse en est connue), et de le (la) conduire à un établissement correctionnel provincial, et je vous ordonne, à vous, chef d'établissement, de le (la) recevoir sous votre garde et de l'y détenir jusqu'à sa libération.

AUTORISATION—Autorisé par un membre de la Commission des libérations conditionnelles ou une personne qu'elle désigne en vertu de l'article 39 de la *Loi sur le ministère des Services correctionnels*.

Signature	Nom de l'agent de libération conditionnelle :
Nom et titre (en caractères d'imprimerie) :	Numéro de téléphone :
Adresse du bureau :	Numéro de télécopieur :
Fait le	à

EXÉCUTION — Exécuté et lu à la personne par le soussigné au moment de l'arrestation de celle-ci.

Signature de l'agent de la paix	Adresse du détachement :
Nom (en caractères d'imprimerie) :	
N° d'insigne :	
Date :	

Territoire : Conformément au paragraphe 137 (1) de la *Loi sur le système correctionnel et la mise en liberté sous condition* (Canada), le mandat d'arrêt délivré par la Commission ontarienne des libérations conditionnelles ou une copie de ce mandat transmise par moyen électronique est exécuté N'IMPORTE OÙ AU CANADA par l'agent de la paix destinataire comme s'il avait été initialement délivré ou postérieurement visé par un juge de paix ou une autre autorité légitime du ressort où il est exécuté.

2. Le présent règlement entre en vigueur le même jour que l'article 10 de la *Loi de 1997 visant à simplifier les processus gouvernementaux aux ministères du Solliciteur général et des Services correctionnels*.

R. W. RUNCIMAN
 Solliciteur général et ministre des Services correctionnels

Fait le 13 avril 1999.

ONTARIO REGULATION 266/99

made under the

ONTARIO SOCIETY FOR THE PREVENTION OF
CRUELTY TO ANIMALS ACT

Made: April 13, 1999

Filed: April 30, 1999

WARRANTS

1. (1) The information required to obtain a warrant under subsection 12 (1) of the Act shall be in Form 1.

(2) The warrant issued under subsection 12 (1) of the Act shall be in Form 2.

2. This Regulation comes into force on the day section 11 of the *Government Process Simplification Act (Ministries of the Solicitor General and Correctional Services)*, 1997 comes into force.

Form 1

*Ontario Society for the Prevention of
Cruelty to Animals Act*

(Subsection 12 (1))

INFORMATION TO OBTAIN A WARRANT

Province of Ontario

This is the information of
of in the
(County, District, Region)
of

(the Informant)

taken the day of, before me, a
Justice of the Peace for the Province of Ontario who says that he or she
has reasonable grounds for believing that there is an animal in distress
on the premises of

..... of
in the of
(County, District, Region)

(here describe the grounds for belief)

The Informant prays that a warrant be issued to him or her
(and to
a veterinarian of the
of in the
(County, District, Region)

of)
to inspect the premises of the said
and all animals found therein for the purposes of ascertaining whether
there is therein any animal in distress.

Sworn before me the day of
..... (Signature of Informant)
at in the
(County, District, Region)

of

A Justice of the Peace for the
Province of Ontario

RÈGLEMENT DE L'ONTARIO 266/99

pris en application de la

LOI SUR LA SOCIÉTÉ DE PROTECTION
DES ANIMAUX DE L'ONTARIO

pris le 13 avril 1999

déposé le 30 avril 1999

MANDATS

1. (1) La dénonciation exigée pour obtenir un mandat en vertu du
paragraphe 12 (1) de la Loi est rédigée selon la formule 1.

(2) La mandat décerné en vertu du paragraphe 12 (1) de la Loi est
rédigé selon la formule 2.

2. Le présent règlement entre en vigueur le même jour que l'arti-
cle 11 de la Loi de 1997 visant à simplifier les processus gouvernemen-
taux aux ministères du Solliciteur général et des Services correction-
nels.

Formule 1

*Loi sur la Société de protection
des animaux de l'Ontario*

(paragraphe 12 (1))

DÉNONCIATION EN VUE D'OBTENIR UN MANDAT

Province de l'Ontario

Les présentes constituent la dénonciation de
..... de
dans le/la de
(comté, district, région) (le dénonciateur)
portée le devant moi,
(date)

juge de paix de la province de l'Ontario. Le dénonciateur déclare qu'il
a des motifs raisonnables de croire qu'un animal en détresse se trouve
dans les locaux de

..... de
dans le/la de
(comté, district, région)

(énoncer ici les motifs à l'appui de la conviction)

Le dénonciateur demande qu'un mandat lui soit décerné
(ainsi qu'à
vétérinaire de
de dans le/la
(comté, district, région)

de)
pour inspecter les locaux de
et pour examiner tous les animaux qui s'y trouvent afin de détermi-
ner s'il s'y trouve des animaux en détresse.

Fait sous serment devant moi
le (signature du
à dénonciateur)
dans le/la
(comté, district, région)

de

juge de paix de la
province de l'Ontario

Form 2

Ontario Society for the Prevention of
Cruelty to Animals Act

(Subsection 12 (1))

WARRANT

Province of Ontario

To, an inspector or
an agent of The Ontario Society for the Prevention of
Cruelty to Animals (and to
a veterinarian of the of
in the of)
(County, District, Region)

Whereas it appears on the oath of
of the of
in the of that
(County, District, Region)

there are reasonable grounds for believing that there is an animal in
distress on the premises of
of the in the of
(County, District, Region)

This is therefore to authorize you to enter between the hours of (as the
Justice directs) into the said premises and to inspect the premises and
all animals found therein for the purpose of ascertaining whether there
is therein any animal in distress.

Dated at, in the
(County, District, Region)

of this day of

.....
Justice of the Peace for the Province of Ontario

R. W. RUNCIMAN
Solicitor General and Minister of Correctional Services

Dated on April 13, 1999.

20/99

Formule 2

Loi sur la Société de protection
des animaux de l'Ontario

(paragraphe 12 (1))

MANDAT

Province de l'Ontario

À, inspecteur
ou agent de la Société de protection des animaux de
l'Ontario (et à
vétérinaire de de
dans le/la de)
(comté, district, région)

Attendu qu'il appert de la déposition faite sous
serment de
de de
dans le/la de
(comté, district, région)

qu'il existe des motifs raisonnables de croire qu'un animal en détresse
se trouve dans les locaux de
de dans le/la de
(comté, district, région)

Pour ces motifs, la présente a pour objet de vous autoriser à entrer dans
les lieux susmentionnés entre les heures de (selon ce que le juge de paix
indique), à inspecter les lieux et à examiner tous les animaux qui s'y
trouvent afin de déterminer s'il s'y trouve des animaux en détresse.

Décerné à, dans le/la
(comté, district, région)

de le
(date)

.....
juge de paix de la province de l'Ontario

R. W. RUNCIMAN
Solliciteur général et ministre des Services correctionnels

Fait le 13 avril 1999.

20/99

ONTARIO REGULATION 267/99
made under the
FARM PRODUCTS PAYMENTS ACT

Made: August 26, 1998
Filed: April 30, 1999

Amending Reg. 446 of R.R.O. 1990
(Fund for Milk and Cream Producers)

Note: Regulation 446 has previously been amended. Those amend-
ments are listed in the Table of Regulations in the Statutes of
Ontario, 1998.

1. The definitions of "cream" and "milk" in section 1 of Regu-
lation 446 of the Revised Regulations of Ontario, 1990 are revoked
and the following substituted:

"cream" means cream separated from milk on the farm on which the
milk is produced and supplied to a plant in Ontario on or before
April 30, 1999;

"milk" means milk from cows or goats supplied to a plant on or before
April 30, 1999;

20/99

ONTARIO REGULATION 268/99
made under the
MILK ACT

Made: October 14, 1998
Filed: April 30, 1999

Amending Reg. 761 of R.R.O. 1990
(Milk and Milk Products)

Note: Regulation 761 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. (1) Clause 100 (b) of Regulation 761 of the Revised Regulations of Ontario, 1990 is revoked.

(2) Clause 100 (e) of the Regulation is revoked.

2. Sections 104 and 105 of the Regulation are revoked.

3. (1) Clauses 107 (1) (b) and (c) of the Regulation are revoked.

(2) Clause 107 (1) (c.2) of the Regulation is revoked.

4. Sections 109 and 110 of the Regulation are revoked.

5. (1) Subsection 128 (1) of the Regulation is revoked.

(2) Subsections 128 (3) and (4) of the Regulation are revoked and the following substituted:

(3) Every operator of a plant, distributor, producer and transporter shall furnish to the Commission or Director the information or returns that the Commission or Director from time to time determines.

6. Section 130 of the Regulation is revoked.

ONTARIO FARM PRODUCTS MARKETING COMMISSION:

D. W. TAYLOR
Chair

GLORIA MARCO BORYS
Secretary

Dated on October 14, 1998.

20/99

ONTARIO REGULATION 269/99
made under the
MILK ACT

Made: March 11, 1999
Filed: April 30, 1999

Amending O. Reg. 354/95
(Milk and Farm-Separated Cream—Marketing)

Note: Ontario Regulation 354/95 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Section 5 of Ontario Regulation 354/95 is amended by adding the following clause:

(g.1) requiring and providing for the furnishing of security or proof of financial responsibility or of a performance bond by a person or

class of persons engaged in the producing, marketing or processing of milk or cream and providing for the administration, forfeiture and disposition of any money or securities so furnished and the proceeds therefrom;

ONTARIO FARM PRODUCTS MARKETING COMMISSION:

D. W. TAYLOR
Chair

GLORIA MARCO BORYS
Secretary

Dated on March 11, 1999.

20/99

ONTARIO REGULATION 270/99
made under the
HEALTH PROTECTION AND PROMOTION ACT

Made: April 29, 1999
Filed: April 30, 1999

Amending Reg. 565 of R.R.O. 1990
(Public Pools)

Note: Regulation 565 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. (1) The Table to subsection 17 (2) of Regulation 565 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

TABLE

MINIMUM NUMBERS OF LIFEGUARDS AND
ASSISTANT LIFEGUARDS FOR A PUBLIC POOL
WITH A WATER SURFACE AREA OF 500 SQUARE METRES OR
LESS (OTHER THAN A WAVE ACTION POOL)

Where there are assistant lifeguards and lifeguards on duty		Where there are only lifeguards on duty	
Number of bathers on the deck and in the pool	Minimum number of lifeguards and assistant lifeguards on duty	Number of bathers on the deck and in the pool	Minimum number of lifeguards on duty
0-30	1	0-30	1
31-100	2	31-125	2
101-200	3	126-250	3
201-300	4	251-400	4
300 or more	One additional lifeguard or assistant lifeguard for each additional 100 bathers or fraction thereof	400 or more	One additional lifeguard for each additional 150 bathers or fraction thereof

(2) Clause 17 (6) (a) of the Regulation is revoked and the following substituted:

(a) be at least 16 years of age;

(3) Subsections 17 (8) and (9) of the Regulation are revoked and the following substituted:

(8) For the purposes of subsection (6),

"lifeguard certificate" means the National Lifeguard Service's Lifeguard Certificate.

(9) For the purposes of subsection (7),

"assistant lifeguard certificate" means the Royal Life Saving Society Canada's Bronze Cross or Award of Distinction.

(4) Clause 17 (17) (a) of the Regulation is revoked and the following substituted:

(a) be at least 16 years of age;

(5) Paragraph 1 of clause 17 (17) (b) of the Regulation is revoked and the following substituted:

1. The Canadian Red Cross Society's Water Safety Instructor Award.

(6) Paragraph 7 of clause 17 (17) (b) of the Regulation is revoked.

2. This Regulation comes into force on October 1, 1999.

20/99

ONTARIO REGULATION 271/99
made under the
HEALTH INSURANCE ACT

Made: April 29, 1999
Filed: April 30, 1999

Amending Reg. 552 of R.R.O. 1990
(General)

Note: Since the end of 1998, Regulation 552 has been amended by Ontario Regulations 58/99, 59/99, 60/99, 85/99, 108/99, 177/99, 178/99, 201/99 and 232/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. The Table to section 37.5 of Regulation 552 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

TABLE

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
Designation	Total Amount Payable	Total Amount Payable	Total Amount Payable
General Practitioner	\$300,000—for insured services rendered on or after April 1, 1996 but before April 1, 1999	\$325,000—for insured services rendered on or after April 1, 1996 but before April 1, 1999	\$350,000—for insured services rendered on or after April 1, 1996 but before April 1, 1999
General Practitioner	\$320,000—for insured services rendered on or after April 1, 1999	\$345,000—for insured services rendered on or after April 1, 1999	\$370,000—for insured services rendered on or after April 1, 1999

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
Specialist	\$380,000—for insured services rendered on or after April 1, 1996 but before April 1, 1999	\$405,000—for insured services rendered on or after April 1, 1996 but before April 1, 1999	\$430,000—for insured services rendered on or after April 1, 1996 but before April 1, 1999
Specialist	\$400,000—for insured services rendered on or after April 1, 1999	\$425,000—for insured services rendered on or after April 1, 1999	\$450,000—for insured services rendered on or after April 1, 1999

2. This Regulation shall be deemed to have come into force on April 1, 1999.

20/99

ONTARIO REGULATION 272/99
made under the
MINISTRY OF HEALTH

Made: April 29, 1999
Filed: April 30, 1999

**HEALTH SERVICES
RESTRUCTURING COMMISSION**

1. The following are the duties of the Commission:

1. To advise the Minister on matters relating to the development and establishment of an effective and adequate health care system.
2. To advise the Minister on the issuance of directions in cases where the Commission issued a draft notice of intention to issue a direction, a notice of intention to issue a direction, a draft direction or a direction before March 13, 1999.

2. Ontario Regulation 88/96 is revoked.

20/99

ONTARIO REGULATION 273/99
made under the
PUBLIC HOSPITALS ACT

Made: April 29, 1999
Approved: April 29, 1999
Filed: April 30, 1999

Revoking O. Reg. 87/96
(Authorization to Issue Directions under Section 6
and Subsection 9 (10) of the Act)

1. Ontario Regulation 87/96 is revoked.

ELIZABETH WITMER
Minister of Health

Dated on April 29, 1999.

20/99

ONTARIO REGULATION 274/99
made under the
ONTARIO WORKS ACT, 1997

Made: April 29, 1999
Filed: April 30, 1999

Amending O. Reg. 136/98
(Designation of Geographic Areas and Delivery Agents)

Note: Since the end of 1998, Ontario Regulation 136/98 has been amended by Ontario Regulations 33/99 and 113/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Schedule 2 to Ontario Regulation 136/98 is amended by adding the following item:

108. Aroland First Nation

2. This Regulation comes into force on May 1, 1999.

JANET ECKER
Minister of Community and Social Services

Dated on April 29, 1999.

20/99

ONTARIO REGULATION 275/99
made under the
HIGHWAY TRAFFIC ACT

Made: April 29, 1999
Filed: April 30, 1999

Amending Reg. 575 of R.R.O. 1990
(Commercial Motor Vehicle Inspections)

Note: Regulation 575 has not previously been amended.

1. Section 2 of Regulation 575 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

2. (1) No person shall drive a commercial motor vehicle unless the person has inspected or caused to be inspected the commercial motor vehicle within the previous 24 hours.

(2) Despite subsection (1), if a commercial motor vehicle is driven by more than one driver, the second driver is not required to inspect or cause the commercial motor vehicle to be inspected if the first driver has complied with subsection (1) and 24 hours have not elapsed since the required inspection was performed.

(3) An emergency vehicle is exempt from subsection (1) while responding to or returning from an emergency.

(4) A commercial vehicle is exempt from subsection (1) while providing relief from an earthquake, flood, fire, famine, drought, epidemic, pestilence or other disaster by transporting passengers or goods.

2. Subsection 4 (1) of the Regulation is amended by,

(a) striking out the portion before clause (a) and substituting the following:

RÈGLEMENT DE L'ONTARIO 274/99
pris en application de la
LOI DE 1997 SUR LE PROGRAMME
ONTARIO AU TRAVAIL

pris le 29 avril 1999
déposé le 30 avril 1999

modifiant le Règl. de l'Ont. 136/98
(Désignation de zones géographiques et
d'agents de présentation des services)

Remarque : Depuis la fin de 1998, le Règlement de l'Ontario 136/98 a été modifié antérieurement par les Règlements de l'Ontario 33/99 et 113/99. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1998.

1. L'annexe 2 du Règlement de l'Ontario 136/98 est modifiée par adjonction du numéro suivant :

108. Aroland First Nation

2. Le présent règlement entre en vigueur le 1^{er} mai 1999.

JANET ECKER
Ministre des Services sociaux et communautaires

Fait le 29 avril 1999.

(1) Upon completion of an inspection under section 2, the person carrying out the inspection shall record on an inspection report,

(b) striking out clause (d) and substituting the following:

(d) the date and time of the inspection.

3. (1) Subsection 5 (1) of the Regulation is revoked and the following substituted:

(1) Every driver of a commercial motor vehicle shall, when he or she finishes driving the vehicle in a 24-hour period commencing with the inspection required by subsection 2 (1), record on the inspection report any safety defects of the items referred to in clause 4 (1) (f) he or she observed while driving or while otherwise in charge of the vehicle.

(2) Clause 5 (3) (a) of the Regulation is revoked and the following substituted:

(a) if no safety defects of the items referred to in clause 4 (1) (f) are disclosed, at the end of the 24-hour period commencing with the inspection under section 2;

4. Section 8 of the Regulation is amended by striking out "commercial motor vehicle" wherever it appears and substituting "bus" in each case.

5. Section 9 of the Regulation is revoked and the following substituted:

9. The vehicle component performance standards in Regulation 587 of the Revised Regulations of Ontario, 1990 and in Schedules 1, 2 and 4 of Regulation 611 of the Revised Regulations of Ontario, 1990 are prescribed for the purposes of section 107 of the Act.

6. Schedules 3, 4 and 5 to the Regulation are revoked.

7. This Regulation comes into force on June 1, 1999.

20/99

ONTARIO REGULATION 276/99
made under the
HIGHWAY TRAFFIC ACT

Made: April 29, 1999

Filed: April 30, 1999

Amending Reg. 587 of R.R.O. 1990
(Equipment)

Note: Regulation 587 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. (1) Subsection 5 (1) of Regulation 587 of the Revised Regulations of Ontario, 1990 is amended by striking out "less" in the second line and substituting "not more".

(2) Subsection 5 (2) of the Regulation is amended by striking out "less" in the second line and substituting "not more".

2. The Schedule to the Regulation is revoked and the following substituted:

Schedule 1

COLUMN 1		COLUMN 2
Service Brake Chambers		Push Rod Travel
Clamp Type Brake Chamber Data		
Type	Outside Diameter	
6	4½" (114.3mm)	1¼" (31.75mm)
9	5¼" (133.35mm)	1⅜" (34.93mm)
12	5½" (144.46mm)	1⅜" (34.93mm)
12 Long Stroke	5½" (144.46mm)	1¾" (44.45mm)
16	6⅜" (161.93mm)	1¾" (44.45mm)
16 Long Stroke	6⅜" (161.93mm)	2" (50.8mm)
20	6⅝" (172.24mm)	1¾" (44.45mm)
20 Long Stroke	6⅝" (172.24mm)	2" (50.8mm)
24	7⅞" (183.36mm)	1¾" (44.45mm)
24 Long Stroke	7⅞" (183.36mm)	2" (50.8mm)
24 Long Stroke with Square Inlet Port or with Square Raised Embossment on Lid	7⅞" (183.36mm)	2½" (63.5mm)
30	8⅜" (205.58mm)	2" (50.8mm)
30 Long Stroke with Square Inlet Port or with Square Raised Embossment on Lid	8⅜" (205.58mm)	2½" (63.5mm)
36	9" (228.6mm)	2¼" (57.15mm)
Bolt Type Chamber Data		
Type	Outside Diameter	
A	6⅝" (176.21mm)	1⅜" (34.93mm)

B	9⅜" (233.36mm)	1¾" (44.45mm)
C	8½" (204.79mm)	1¾" (44.45mm)
D	5¼" (133.35mm)	1¼" (31.75mm)
E	6⅜" (157.16mm)	1⅜" (34.93mm)
F	11" (279.4mm)	2¼" (57.15mm)
G	9⅞" (250.83mm)	2" (50.8mm)
Rotochamber Type Chamber Data		
Type	Outside Diameter	
9	4⅞" (108.74mm)	1½" (38.1mm)
12	4⅜" (122.23mm)	1½" (38.1mm)
16	5⅜" (137.32mm)	2" (50.8mm)
20	5⅝" (150.81mm)	2" (50.8mm)
24	6⅜" (162.72mm)	2" (50.8mm)
30	7½" (179.39mm)	2¼" (57.15mm)
36	7⅝" (193.68mm)	2¾" (69.85mm)
50	8⅞" (225.43mm)	3" (76.2mm)
Tie Rod Piston Type Chamber Data		
Type	Outside Diameter	
30 Long Stroke with Square Inlet Port	6½" (165.1mm)	2½" (63.5mm)
DD-3 Type Chamber Data		
Type	Outside Diameter	
30	8⅜" (206.37mm)	2¼" (57.15mm)

3. This Regulation comes into force on June 1, 1999.

20/99

ONTARIO REGULATION 277/99
made under the
HIGHWAY TRAFFIC ACT

Made: April 29, 1999

Filed: April 30, 1999

RED LIGHT CAMERA SYSTEM EVIDENCE

1. (1) For the purposes of Part XIV.2 of the Act,

"photograph" includes any form of electronically recorded image and a reproduction of a photograph.

(2) In this Regulation,

"detectable speed" means the speed at which a red light camera system is programmed to detect the movement of a vehicle;

"intersection" includes any portion of a highway indicated by markings on the surface of the roadway as a crossing place for pedestrians.

2. (1) For the purposes of Part XIV.2 of the Act, a red light camera system is a combination of one or more cameras and other equipment that is installed at an intersection controlled by a traffic control signal such that,

- (a) it is capable of photographing all or part of the intersection; and
- (b) it takes a first photograph of a vehicle when the vehicle approaches the intersection at or above a detectable speed when a red indication is shown and it then takes one or more further photographs in succession.

(2) A further photograph referred to in clause (1) (b) may be taken when the green indication is shown.

(3) A red light camera system may take the sequence of photographs described in clause (1) (b) from the same or different angles.

(4) A red light camera system may be permanently or temporarily installed at an intersection.

3. (1) In order to be received in evidence for the purposes of Part XIV.2 of the Act, a photograph taken by a red light camera system must show or have superimposed on it,

- (a) the date on which it was taken; and
- (b) the location and time of day at which it was taken.

(2) In order to be received in evidence for the purposes of Part XIV.2 of the Act, the first photograph in a sequence of photographs taken under clause 2 (1) (b) must show or have superimposed on it the length of time that the indication was showing red before it was taken.

(3) A photograph taken by a red light camera system may also show or have superimposed on it,

- (a) the speed at which the vehicle shown in the photograph was travelling when it was taken;
- (b) the length of time that the indication was showing amber before it was taken.
- (c) the lane in which the vehicle shown in the photograph was travelling;

(4) Nothing in subsection (1), (2) or (3) precludes a photograph from showing or having superimposed on it any other information.

(5) If a defendant who has been served with an offence notice based on evidence obtained through the use of a red light camera system does not give notice of intention to appear, it is not necessary to file the photograph in court.

4. (1) An offence notice issued in a proceeding based on evidence obtained through the use of a red light camera system may be served by sending the offence notice by regular prepaid mail to the person charged within 23 days after the occurrence of the alleged offence.

(2) Subject to subsections (4) and (5), the offence notice shall be sent to the address of the person charged as it appears on the Ministry's records on the date of the alleged offence.

(3) If the provincial offences officer who issued the certificate of offence also mails the offence notice or causes it to be mailed, that officer shall certify, on the certificate of offence, the fact that the offence notice was mailed and the date it was mailed.

(4) If the person is charged as the owner of the vehicle, the address of the person as it appears on the Ministry's records respecting the holder of the plate portion of the vehicle permit shall be used.

(5) If the person is charged as the driver of the vehicle, the address of the person as it appears in the Ministry's records respecting the person's driver's licence shall be used.

(6) Service of an offence notice mailed in accordance with this section shall be deemed to be effected on the seventh day following the day on which it was mailed.

5. A certificate striking out a conviction under Part XIV.2 of the Act shall be in Form 103 of Regulation 200 of the Revised Regulations of Ontario, 1990 made under the *Courts of Justice Act*.

6. This Regulation comes into force on the day section 4 of the *Red Light Cameras Pilot Projects Act, 1998* comes into force.

20/99

ONTARIO REGULATION 278/99
made under the
BUILDING CODE ACT, 1992

Made: April 29, 1999
Filed: April 30, 1999

Amending O. Reg. 403/97
(General)

Note: Since the end of 1998, Ontario Regulation 403/97 has been amended by Ontario Regulation 152/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. (1) Article 1.1.3.2. of Ontario Regulation 403/97 is amended by adding the following definition:

Design capacity, when used in the definition of the term *sewage system*, means total daily design *sanitary sewage* flow determined in accordance with Article 8.2.1.3.

(2) Clauses (f), (g) and (h) of the definition of *sewage system* in Article 1.1.3.2. of the Regulation are revoked and the following substituted:

- (f) have a *design capacity* of 10,000 litres per day or less,
- (g) have, in total, a *design capacity* of 10,000 litres per day or less where more than one of these are located on a lot or parcel of land, and
- (h) are located wholly within the boundaries of the lot or parcel of land on which is located the *building* or *buildings* they serve.

2. Table 2.6.3.2. of the Regulation is amended by striking out "8.9.2.3.(1)(a)" in the portion of Column 4 corresponding to "American Public Health Association, American Waterworks Association, Water Environment Federation" in Column 1 and substituting "8.9.2.4.(1)(b)".

3. Subclause 3.3.1.5.(2)(i) of the Regulation is revoked and the following substituted:

- (i) the travel distance to an egress doorway or an egress facility is more than 25 m, or

4. Sentence 3.3.1.7.(7) of the Regulation is amended by striking out "Clause (1)(c)" and substituting "Sentence (2)".

5. Article 8.1.3.1. of the Regulation is amended by adding the following Sentence:

(4.1) Waste water from a kitchen equipped with a garbage grinder may be directed to the *sewage system* provided the system has been designed to accept such waste water.

6. (1) Table 8.2.1.3.A. of the Regulation is amended by striking out row 5 which begins with the word "Dwellings" and substituting the following:

Dwellings	
a) 1 Bedroom Dwelling	750
b) 2 Bedroom Dwelling	1100
c) 3 Bedroom Dwelling	1600
d) 4 Bedroom Dwelling	2000
e) 5 Bedroom Dwelling	2500
f) Additional flow for ⁽²⁾	500
i) each bedroom over 5	
ii) A) each 10 m ² (or part thereof) over 200 m ² up to 400 m ² ⁽³⁾	100
B) each 10 m ² (or part thereof) over 400 m ² up to 600 m ² ⁽³⁾ , and	75
C) each 10 m ² (or part thereof) over 600 m ² ⁽³⁾ , or	50
iii) each fixture unit over 20 fixture units	50

(2) Table 8.2.1.3.A. of the Regulation is amended by striking out row 6 which begins with the words "Hotels and Motels" and substituting the following:

Hotels and Motels (excluding bars and restaurants)	
a) Regular, per room	250
b) Resort hotel, cottage, per person	500
c) Self service laundry, add per machine	2500

(3) Note (3) of Table 8.2.1.3.A. of the Regulation is revoked and the following substituted:

(3) Total finished area, excluding the area of the finished basement.

7. (1) Table 8.2.1.3.B. of the Regulation is amended by striking out row 13 which begins with the words "Food Service Operations" and substituting the following:

Food Service Operations	
a) Restaurant (not 24 hour), per seat	125
b) Restaurant (24 hour), per seat	200
c) Restaurant on controlled access highway, per seat	400
d) Paper Service Restaurant, per seat	60
e) Donut Shop, per seat	400
f) Bar and Cocktail Lounge, per seat	125
g) Drive-in Restaurant, per parking space	60
h) Take-out Restaurant (no seating area)	
i) Per 9.25 m ² of floor area, and	190
ii) Per employee per 8 hour shift	75
i) Cafeteria, per meal	12
j) Food outlet	
i) excluding delicatessen, bakery and meat department, per 9.25 m ² of floor space	40
ii) Per 9.25 m ² of delicatessen floor space	190
iii) Per 9.25 m ² of bakery floor space	190
iv) Per 9.25 m ² of meat department floor space, and	380
v) Per water closet	950

(2) Table 8.2.1.3.B. of the Regulation is amended by striking out row 20 which begins with the words "Service Stations" and substituting the following:

Service Stations (No vehicle washing) ⁽⁴⁾	
a) Per water closet, and	950
i) Per fuel outlet, or	560
ii) Per vehicle served	20

(3) Table 8.2.1.3.B. of the Regulation is amended by striking out row 27 which begins with the word "Warehouse" and substituting the following:

Warehouse	
a) Per water closet, and	950
b) Per loading bay	150

8. Article 8.2.1.4. of the Regulation is amended by adding the following Sentence:

(4) If more than one *sewage system* is located on a lot or parcel of land, there shall be no overlap of any part of the systems.

9. (1) Clause 8.2.2.3.(4)(c) of the Regulation is revoked and the following substituted:

(c) the pipe between the outlet of one tank and the inlet of the next tank in the series shall have a minimum slope of 2 per cent,

(2) Clause 8.2.2.3.(4)(e) of the Regulation is revoked and the following substituted:

(e) Reserved, and

10. Sentence 8.4.1.2.(2) of the Regulation is revoked and the following substituted:

(2) The total daily design flow for a Class 2 *sewage system* shall be calculated based on the *fixtures* discharging to the system as follows:

(a) 200 L per *fixture* unit where there is a supply of pressurized water, and

(b) 125 L per *fixture* unit where there is no supply of pressurized water.

11. Clause 8.7.3.2.(2)(c) of the Regulation is revoked and the following substituted:

(c) at least 300 mm and not more than 600 mm in depth,

12. Sentence 8.7.4.1.(1) of the Regulation is revoked and the following substituted:

(1) The area described in Sentence 8.7.4.2.(1) shall be designed such that the *loading rate* does not exceed, for *soil* having a *percolation time* set out in Column 1 of Table 8.7.4.1.A., the maximum value set out opposite thereto in Column 2 of Table 8.7.4.1.A.

Table 8.7.4.1.A.

Loading Rates for Fill Based Absorption Trenches and Filter Beds Forming Part of Sentences 8.7.4.1.(1) and 8.7.5.2.(2)

Percolation Time (T) of Soil (min/cm)	Loading Rates (L/m ² /day)
1 < T ≤ 20	10
20 < T ≤ 35	8
35 < T ≤ 50	6
T > 50	4
Column 1	Column 2

13. (1) Sentences 8.7.4.2.(1) and (2) of the Regulation are revoked and the following substituted:

(1) A *leaching bed* comprised of *absorption trenches* may be constructed in *leaching bed fill* if unsaturated soil or *leaching bed fill* complying with Clause 8.7.2.1.(1)(b) extends

- (a) to a depth of at least 250 mm over the area covered by the *leaching bed fill*, and
- (b) for at least 15 m beyond the outer *distribution pipes* in any direction in which the *effluent* entering the soil or *leaching bed fill* will move horizontally.

(2) If the unsaturated soil or *leaching bed fill* described in Sentence (1) has a *percolation time* greater than 15 minutes, any *leaching bed fill* added to form the *leaching bed* shall have a *percolation time* not less than 75% of the *percolation time* of the unsaturated soil or *leaching bed fill*.

(2.1) *Leaching bed fill* that does not meet the requirements of Sentence (2) may be used to form the *leaching bed* if

- (a) the distance from the bottom of the *absorption trench* to native soil is not less than 900 mm, or
- (b) where the distance from the bottom of the *absorption trench* to native soil is less than 900 mm, the *percolation time* of the least permeable soil or *leaching bed fill* within 900 mm from the bottom of the *absorption trench* is used to calculate the length of the *distribution pipe* under Article 8.7.3.1.

(2) Sentence 8.7.4.2.(8) of the Regulation is revoked and the following substituted:

(8) Except as provided in Sentence (8.1), the sides of the added *leaching bed fill* shall be sloped to ensure stability, but shall not be steeper than one unit vertically to four units horizontally.

(8.1) The side slope of the *leaching bed fill* may be increased up to one unit vertically to three units horizontally if measures are taken to prevent erosion and ensure stability of the *leaching bed fill*.

14. (1) Sentence 8.7.5.2.(2) of the Regulation is revoked and the following substituted:

(2) The area described in Sentence 8.7.4.2.(1) shall be designed such that the *loading rate* does not exceed, for soil having a *percolation time* set out in Column 1 of Table 8.7.4.1.A., the maximum value set out opposite thereto in Column 2 of Table 8.7.4.1.A.

(2) Article 8.7.5.2. of the Regulation is amended by adding the following Sentence:

(5) Where a *treatment unit* designed to produce *effluent* not exceeding the maximum concentrations stipulated in Column 2 of Table 8.6.2.2.A is used in conjunction with a filter bed, the effective area shall be such that the loading on the surface of the filter medium does not exceed 100 L/m² per day.

15. (1) Clause 8.7.5.3.(3)(b) of the Regulation is amended by striking out "less" and substituting "greater".

(2) Sentence 8.7.5.3.(6) of the Regulation is amended by striking out the last line and substituting the following:

$T =$ the lesser of 50 and the *percolation time* of the underlying soil

16. Article 8.7.6.1. of the Regulation is revoked and the following substituted:

8.7.6.1. Design Requirements

(1) The design and installation of a *shallow buried trench* shall be carried out by a person competent in this field of work.

17. Clause 8.8.1.2.(1)(d) of the Regulation is revoked and the following substituted:

- (d) to upgrade a *sewage system* serving an existing building, where upgrading through the use of a Class 4 *sewage system* is not possible due to lot size, site slope or clearance limitations, or

18. Article 8.9.2.3. of the Regulation is amended by adding the following Sentence:

(3) The person authorized by the manufacturer to service and maintain the *treatment unit* and who has entered into the agreement referred to in Sentence (2) with the person operating the *treatment unit* shall notify the *chief building official* if

- (a) the agreement is terminated, or
- (b) access for service and maintenance of the *treatment unit* is denied by the person operating the *treatment unit*.

19. (1) Sentence 9.11.2.1.(1) of the Regulation is amended by striking out "9.10.3.1.A. and 9.10.3.1.B." and substituting "8.1 and 8.2".

(2) Sentence 9.11.2.1.(2) of the Regulation is amended by striking out "or listed in Tables 9.10.3.1.A. and 9.10.3.1.B." and substituting "or as listed in Tables 8.1 and 8.2".

20. Sentence 9.20.10.1.(2) of the Regulation is amended by striking out the portion before Clause (a) and substituting the following:

(2) The spacing of supports required in Sentence (1) shall be not more than

21. Table 9.20.13.1. of the Regulation is amended by striking out "0.36" in the portions of Columns 2 and 3 corresponding to "Copper" in Column 1 and substituting in each case "0.46".

22. Sentences 9.25.2.1.(13) and (14) of the Regulation are revoked and the following substituted:

(13) Except as provided in Sentences (14) and (15), log wall construction and post, beam and plank construction shall have a minimum thermal resistance of RSI 2.1 for the total assembly.

(14) The thermal resistance value in Sentence (13) for the total wall assembly may be reduced to not less than RSI 1.61 if

- (a) the thermal resistance of insulation for the exposed roof or ceiling required in Table 9.25.2.1. is increased by an amount equivalent to the reduction permitted in this Sentence, and
- (b) for log walls, the logs have tongue-and-groove or splined joints.

(15) Where milled log walls are installed, the thermal resistance value in Sentence (13) for the total wall assembly does not apply if

- (a) the mean thickness of each log is not less than 150 mm,
- (b) the thermal resistance of insulation for the exposed roof or ceiling required in Table 9.25.2.1. is increased by RSI 0.53, and
- (c) the logs have tongue-and-groove or splined joints.

23. (1) Clause 9.30.3.4.(1)(d) of the Regulation is amended by striking out "less" and substituting "more".

(2) Clause 9.30.3.4.(2)(d) of the Regulation is amended by striking out "less" and substituting "more".

24. Table A-7 of the Regulation is amended by striking out "Northern Species (includes any Canadian species covered by the

NLGA Standard Grading Rules)" the first time it occurs in Column 1 and substituting "Spruce-Pine-Fir (includes Spruce (all species except Coast Sitka Spruce), Jack Pine, Lodgepole Pine, Balsam Fir and Alpine Fir)".

25. Table A-12 of the Regulation is amended by striking out "2.89" in the portion of Column 4 corresponding to "Douglas Fir - Larch (includes Douglas Fir and Western Larch)" in Column 1 and substituting "2.69".

26. Table A-18 of the Regulation is amended by striking out "1.10" in the portion of Column 5 corresponding to "Roof and ceiling only" in Column 1 and substituting "2.10".

27. Clause 11.4.2.5.(3)(b) of the Regulation is amended by striking out "gross area" and substituting "finished area".

20/99

ONTARIO REGULATION 279/99
made under the
DEVELOPMENT CORPORATIONS ACT

Made: April 29, 1999

Filed: April 30, 1999

ONTARIO IMMIGRANT INVESTOR CORPORATION

1. In this Regulation,

"approved fund" means an approved fund, as defined in the *Immigration Regulations, 1978* (Canada);

"investor" means an investor, as defined in the *Immigration Regulations, 1978* (Canada).

2. The Ontario Immigrant Investor Corporation is established under section 5 of the Act as a corporation without share capital.

3. The Ontario Immigrant Investor Corporation is for all its purposes an agent of Her Majesty within the meaning of the *Crown Agency Act* and its powers may be exercised only as an agent of Her Majesty.

4. The objects of the Ontario Immigrant Investor Corporation are,

- (a) to create or continue employment in Ontario in order to foster development of a strong and viable economy;
- (b) to do all things necessary or desirable to become and conduct itself as an approved fund;
- (c) to assist in the development of the Ontario economy in accordance with the policies of the Province of Ontario; and
- (d) to manage the monies borrowed from investors in order to satisfy its obligations to them.

5. (1) The Ontario Immigrant Investor Corporation shall consist of as many members, not fewer than three, as the Lieutenant Governor in Council may appoint.

(2) The members shall be appointed for such term, not exceeding three years, as the Lieutenant Governor in Council may determine.

(3) The members of the Ontario Immigrant Investor Corporation form and are its board of directors.

(4) The Ontario Immigrant Investor Corporation shall pay its members who are not public servants within the meaning of the *Public Ser-*

vice Act the remuneration and expenses that the Lieutenant Governor in Council determines.

(5) The Lieutenant Governor in Council shall designate one of the members to be chair of the board of directors and one of the members to be vice-chair of the board of directors.

(6) The chair shall preside at the meetings of the board of directors.

(7) In the case of the absence or illness of the chair or there being a vacancy in the office of chair, the vice-chair or, if there is no vice-chair available, the director designated by the board of directors for the purpose, shall act as and have all the powers of the chair.

(8) A majority of the directors constitutes a quorum of the board of directors.

6. (1) The affairs of the Ontario Immigrant Investor Corporation are under the management and control of its board of directors.

(2) The board of directors may pass by-laws and resolutions regulating its proceedings and generally for the conduct and management of the affairs of the Ontario Immigrant Investor Corporation.

(3) Without limiting the generality of subsection (2), the board of directors of the Ontario Immigrant Investor Corporation may pass by-laws or resolutions to,

- (a) appoint officers and assign to them such powers and duties as the board of directors determines to be appropriate;
- (b) make banking arrangements;
- (c) establish committees of the board of directors;
- (d) establish, with the approval of the Lieutenant Governor in Council, job classifications, personnel classifications, salaries, benefits and other remuneration for such persons as the board of directors considers necessary to employ for the proper conduct of the affairs of the Ontario Immigrant Investor Corporation; and
- (e) effect the orderly transaction of the business of the Ontario Immigrant Investor Corporation.

7. (1) In this section,

"revenue" includes all money or money's worth received by the Ontario Immigrant Investor Corporation, whether by grant, gift, contribution, return on investments made by it, borrowing pursuant to clause 8 (2) (b), profit or otherwise.

(2) The revenues of the Ontario Immigrant Investor Corporation shall be used only to further its objects.

(3) The cost of operations of the Ontario Immigrant Investor Corporation shall be paid out of its revenues.

8. (1) Except as limited by this Regulation, the Ontario Immigrant Investor Corporation has the capacity, rights, powers and privileges of a natural person for carrying out its objects.

(2) Without limiting the generality of subsection (1), the Ontario Immigrant Investor Corporation has the power to do anything that is necessary or desirable in order to become and carry out the duties and obligations of an approved fund, including, without limiting the generality of the foregoing,

- (a) entering into agreements with an agent, as defined in the *Immigration Regulations, 1978* (Canada);
- (b) borrowing money from investors and issuing debt obligations to them;
- (c) entering into agreements or other arrangements for the management of monies; and

(d) making and managing investments in accordance with the Ontario Immigrant Investor Corporation's investment policy.

(3) The Ontario Immigrant Investor Corporation shall not, except with the approval of the Lieutenant Governor in Council,

(a) borrow money, except pursuant to clause (2) (b); or

(b) pledge or in any other way provide security over the assets of the Ontario Immigrant Investor Corporation.

9. No director, officer or employee of the Ontario Immigrant Investor Corporation, or other person acting on its behalf, is personally liable for anything done or omitted in good faith in the exercise or purported exercise of the powers conferred or duties imposed by this Regulation.

10. The *Corporations Act* and *Corporations Information Act* do not apply to the Ontario Immigrant Investor Corporation.

11. Sections 19 and 132, subsection 134 (1) and section 136 of the *Business Corporations Act* apply to the Ontario Immigrant Investor Corporation with necessary modifications.

12. The Minister may issue directions to the board of directors and, if the Minister issues a direction to the board of directors, the board of directors shall carry it out.

13. The accounts and financial transactions of the Ontario Immigrant Investor Corporation shall be audited annually and the audit is subject to the review of the Provincial Auditor.

14. (1) Annually, the Ontario Immigrant Investor Corporation shall deliver to the Minister an annual report on its affairs, including the audited financial statements signed by the chair of the board of directors and one other director and such other materials as the Minister directs, and the Minister shall submit the report to the Lieutenant Governor in Council and shall then lay the report before the Assembly if it is in session or, if not, at its next session.

(2) The Ontario Immigrant Investor Corporation shall also make such other reports on its affairs to the Minister or the Minister of Finance as he or she may from time to time request.

15. Every five years, beginning on the fifth anniversary of the day this Regulation comes into force, the Minister shall conduct a review of the affairs of the Ontario Immigrant Investor Corporation and shall submit a report on the affairs of the Ontario Immigrant Investor Corporation to the Executive Council.

20/99

ONTARIO REGULATION 281/99
made under the
INDUSTRIAL STANDARDS ACT

Made: March 31, 1999
Filed: April 30, 1999

Amending Reg. 653 of R.R.O. 1990
(Interprovincially Competitive Industries)

Note: Regulation 653 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. (1) The English version of paragraph 2 of section 1 of Regulation 653 of the Revised Regulations of Ontario, 1990 is amended by striking out "Ladies' Cloak" and substituting "Women's Coat".

ONTARIO REGULATION 280/99
made under the
INDUSTRIAL STANDARDS ACT

Made: April 15, 1999
Filed: April 30, 1999

Amending Reg. 651 of R.R.O. 1990
(Designation of Industries and Zones)

Note: Regulation 651 has not previously been amended.

1. Subsections 4 (2) and (3) of Regulation 651 of the Revised Regulations of Ontario, 1990 are revoked and the following substituted:

WOMEN'S COAT AND SUIT INDUSTRY

(2) The Women's Coat and Suit Industry as defined in paragraph 2 of Appendix C is designated as an industry for the purposes of the Act.

WOMEN'S DRESS AND SPORTSWEAR INDUSTRY

(3) The Women's Dress and Sportswear Industry as defined in paragraph 3 of Appendix C is designated as an industry for the purposes of the Act.

2. (1) Section 2 of Appendix C to the Regulation is amended by striking out "Ladies' Cloak" in the first line and substituting "Womens' Coat", by striking out "or" at the end of clause (a), by adding "or" at the end of clause (b) and by adding the following clause:

(c) the receiving, warehousing, shipping or distributing of raw materials or manufactured products or in sales, design or administrative operations.

(2) Section 3 of Appendix C to the Regulation is amended by striking out "Ladies' " in the first line and substituting "Womens' ", by striking out "or" at the end of clause (j), by adding "or" at the end of clause (k) and by adding the following clause:

(l) the receiving, warehousing, shipping or distributing of raw materials or manufactured products or in sales, design or administrative operations.

JAMES M. FLAHERTY
Minister of Labour

Dated on April 15, 1999.

20/99

RÈGLEMENT DE L'ONTARIO 281/99
pris en application de la
LOI SUR LES NORMES INDUSTRIELLES

pris le 31 mars 1999
déposé le 30 avril 1999

modifiant le Règl. 653 des R.R.O. de 1990
(Industries concurrentielles à l'échelle interprovinciale)

Remarque : Le Règlement 653 a été modifié antérieurement. Ces modifications sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1998.

1. (1) La version anglaise de la disposition 2 de l'article 1 du Règlement 653 des Règlements refondus de l'Ontario de 1990 est modifiée par substitution de «Women's Coat» à «Ladies' Cloak».

(2) The English version of paragraph 3 of section 1 of the Regulation is amended by striking out "Ladies'" and substituting "Women's".

(2) La version anglaise de la disposition 3 de l'article 1 du Règlement est modifiée par substitution de «Women's» à «Ladies'».

RICHARD CLARKE
Director of Labour Standards

RICHARD CLARKE
Directeur des normes du travail

Dated on March 31, 1999.

Fait le 31 mars 1999.

20/99

ONTARIO REGULATION 282/99
made under the
INDUSTRIAL STANDARDS ACT

Made: April 8, 1999
Approved: April 29, 1999
Filed: April 30, 1999

Amending Reg. 659 of R.R.O. 1990
(Schedule—Ladies' Cloak and Suit Industry—Ontario)

Note: Regulation 659 has not previously been amended.

1. The title to Regulation 659 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

**SCHEDULE—WOMEN'S COAT AND
SUIT INDUSTRY**

2. Section 1 of the Regulation is amended by striking out "ladies' cloak and suit industry" at the end and substituting "women's coat and suit industry".

3. The Schedule to the Regulation is amended by striking out sections 1 to 17 and the Table and substituting the following:

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DEFINITIONS

1. In this Schedule,

"homeworker" means a homeworker within the meaning of the *Employment Standards Act*;

"overtime work" means,

(a) in relation to an employee who is not a homeworker, work, including paid breaks but not including eating periods, on Saturday or Sunday or in excess of 8 hours on any of Monday to Friday,

(b) in relation to a homeworker, work in excess of 40 hours in a week;

"piece-work basis", in relation to how an employee is paid, means payment based upon the number of articles or things that are manufactured, prepared, improved, repaired, altered, assembled or completed;

"public holiday" means,

(a) New Year's Day,

(b) Good Friday,

(c) Victoria Day,

(d) Canada Day,

(e) Labour Day,

(f) Thanksgiving Day,

(g) Christmas Day, and

(h) Boxing Day, being December 26 or the Monday next following when Christmas falls on a Saturday;

"week" means the period from midnight on Saturday to midnight on the following Saturday.

MINIMUM WAGE

2. The minimum wage with respect to an employee is the applicable minimum wage established under the *Employment Standards Act*.

MINIMUM PAY FOR SHORT PERIODS OF WORK

3. (1) If an employee is required to work for a period of less than four hours or is required to report to work but does not work any hours, the employee shall be deemed to have worked four hours and the employer shall pay the employee accordingly.

(2) This section does not apply with respect to employees who are homeworkers.

WHEN AN EMPLOYEE MAY NOT BE REQUIRED TO WORK

4. An employer shall not require or allow an employee to perform work,

- (a) on a public holiday; or
- (b) between midnight and 6:00 a.m.

REGULAR WORKING DAY

5. (1) An employee's regular working day shall not exceed 8 hours including paid breaks but not including eating periods.

- (2) A regular working day shall not be on a Saturday or Sunday.

REGULAR WORKING WEEK

6. An employee's regular working week shall not exceed 40 hours including paid breaks but not including eating periods.

REGULAR WORKING DAY—WORK SCHEDULE

7. (1) If an employer establishes a work schedule in accordance with sections 8 and 9 and satisfies the requirements in those sections, an employee's regular working day is determined under the work schedule and not under section 10.

(2) This section does not apply with respect to employees who are homeworkers.

WORK SCHEDULE—GENERAL

8. The following apply with respect to an employer's work schedule:

- 1. The work schedule must set out the starting time of the regular working day for all employees.
- 2. If the work schedule provides for a single shift, a regular working day must not begin after 9:30 a.m.
- 3. A regular working day must not be scheduled on a Saturday or Sunday.
- 4. Each employee must have a ½ hour eating period midway through the employee's regular working day.
- 5. The employer must file the work schedule with the advisory committee at least seven days before it becomes effective.
- 6. The employer must post the work schedule when the employer files the work schedule with the advisory committee and must keep it posted while the work schedule is in effect. The work schedule must be posted in a conspicuous place or places in the workplace where it is most likely to come to the attention of the employees to whom it relates.

WORK SCHEDULE—ADDITIONAL REQUIREMENTS IF TWO SHIFTS

9. The employer's work schedule may provide for two shifts subject to the following:

- 1. The employer must file the work schedule with the advisory committee at least 15 days before it becomes effective instead of as required under paragraph 5 of section 8.

2. An employee shall be scheduled to work only the earlier shift or the later shift and shall not be required to change shifts unless the employee or the employee's agent agrees.

3. An employee who works on the later shift shall be paid at least 5 per cent more than the employee would be paid if the employee worked the earlier shift.

4. If immediately before the work schedule becomes effective the employer only had one shift,

- i. the work schedule must not result in an employee who was working in that single shift working less than a regular working day or working fewer regular working days, and
- ii. an employee who was employed immediately before the work schedule became effective shall not be scheduled to work the later shift unless the employee or the employee's bargaining agent agrees.

REGULAR WORKING DAY—NO WORK SCHEDULE

10. (1) If section 7 does not apply, the regular working day for an employee begins at 8:00 a.m. on each of Monday to Friday, with an unpaid ½ hour eating period midway through the working day and two paid 10-minute breaks, one before the eating period and after the eating period.

(2) This section does not apply with respect to employees who are homeworkers.

OVERTIME WORK

11. (1) An employer shall not require or allow an employee to perform overtime work except as allowed under this section.

(2) Subject to subsection (3) and section 4, an employer may require or allow an employee to perform overtime work,

- (a) in accordance with an overtime permit issued by the advisory committee under section 13; or
- (b) in accordance with a permit under Part IV of the *Employment Standards Act*.

(3) An employer shall not require an employee to perform overtime work unless the employee or the employee's agent agrees.

BREAKS RELATING TO OVERTIME

12. (1) Before an employee performs more than two hours of overtime work after the end of a regular working day, the employer shall give the employee a paid 15-minute break.

(2) The break under subsection (1) shall be paid at the overtime rate determined under section 15.

(3) If an employee performs more than five hours of overtime work on a Saturday or Sunday, the employer shall permit the employee a ½ hour eating period so that the employee does not work more than five consecutive hours without an eating period.

(4) This section does not apply with respect to employees who are homeworkers.

OVERTIME PERMITS

13. (1) The advisory committee may issue overtime permits.

(2) The advisory committee may issue an overtime permit only if the employer applies for it in writing.

(3) The advisory committee may not issue an overtime permit,

(a) that would permit overtime work that might result in an employee working less than a regular working day or working fewer regular working days unless, before issuing the overtime permit, the advisory committee is of the opinion that the circumstances are exceptional; or

(b) that would permit more than 10 hours of work in one day or more than 48 hours of work in one week.

(4) While an overtime permit is effective, the employer shall keep it posted in a conspicuous place or places in the workplace where it is most likely to come to the attention of the employees to whom it relates.

OVERTIME PAY

14. An employer shall pay an employee the overtime rate determined under section 15 for all overtime work.

15. (1) The overtime rate is an hourly rate for all employees, even for those employees who are not normally paid on an hourly basis.

(2) The overtime rate is one and one-half times the average regular hourly rate determined in accordance with the following:

1. For an employee who is not paid on a piece-work basis, the average regular hourly rate is the average hourly rate for the non-overtime work that the employee performed during the most recent pay period, before the day on which the overtime work is performed, in which the employee performed non-overtime work.

2. For an employee who is paid on a piece-work basis, the average hourly rate is the average hourly rate for the non-overtime work that the employee performed during the six-month period determined as follows,

i. for overtime work performed during the first six months of a year, the six-month period is the last six months of the previous year,

ii. for overtime work performed during the last six months of a year, the six-month period is the first six months of the year.

(3) The overtime rate for an employee who is a homemaker shall be determined under paragraph 2 of subsection (2) whether or not the employee is paid on a piece-work basis.

(4) The following shall not be considered in determining an employee's overtime rate: overtime pay, vacation pay, year-end vacation payments, holiday pay and pay in accordance with subsection 21 (3).

(5) In this section,

"non-overtime work" means work for which an overtime rate is not applicable.

VACATION

16. (1) An employer shall give a vacation of two weeks to an employee upon the completion of each 12 months of employment, whether or not the employment was active employment.

(2) The employer shall determine the period when an employee may take the vacation to which he or she is entitled under subsection (1), which may be a two-week period or two periods of one week each, but in any case the employee shall be given his or her vacation not later than

10 months after the end of the 12-month period for which the vacation was given.

VACATION PAY

17. (1) An employer shall pay an employee vacation pay for the employee's vacation.

(2) An employee's vacation pay shall be equal to 4 per cent of all wages, not including vacation pay or any year-end vacation payment, earned by the employee during the period for which the vacation is given.

YEAR-END VACATION PAYMENT

18. (1) In addition to vacation pay, an employer shall pay a year-end vacation payment in accordance with this section to an employee.

(2) An employee who has been employed by an employer for at least three continuous months is entitled to a year-end vacation payment equal to 2 per cent of all wages, excluding vacation pay, earned during the year to which the year-end vacation payment applies.

(3) For the purpose of this section, the year to which a year-end vacation payment applies shall be,

(a) the 12-month period established for the purpose by the practice of the employer; or

(b) if the employer has not established such a year, the 12-month period beginning on December 1 in a year and ending on November 30 in the following year.

(4) Subject to subsection (5), the employer shall pay the year-end vacation payment no later than six weeks after the end of the year to which it relates.

(5) If the employment of the employee is terminated in a year, the employer shall pay the year-end vacation payment for that year no later than seven days after the termination.

HOLIDAY PAY

19. An employer shall pay an employee for each public holiday unless,

(a) the employee has been employed by the employer for less than three months; or

(b) the employee was scheduled to work on the first regular working day either before or after the public holiday and the employee failed to work that day as scheduled.

20. (1) The amount an employer shall pay an employee for a public holiday is the employee's average daily wage determined in accordance with the following:

1. If the employee is not paid on a piece-work basis, the employee's average daily wage is the average daily wages for the non-overtime work that the employee performed during the two-month period immediately preceding the public holiday.

2. If the employee is paid on a piece-work basis, the average daily wage is the average daily wage for the non-overtime work that the employee performed during the six-month period determined as follows,

i. for a public holiday in the first six months of a year, the six-month period is the last six months of the previous year,

- ii. for a public holiday in the last six months of a year, the six-month period is the first six months of the year.

(2) The holiday pay for an employee who is a homemaker shall be determined under paragraph 2 of subsection (1) whether or not the employee is paid on a piece-work basis.

(3) The following shall not be considered in determining the amount of an employee's holiday pay: overtime pay, vacation pay, year-end vacation payments, holiday pay and pay in accordance with subsection 21 (3).

(4) In this section,

"non-overtime work" means work for which an overtime rate is not applicable.

VICTORIA DAY AND CANADA DAY—SPECIAL RULES

21. (1) Despite section 4, an employer may require an employee to work a regular working day on Victoria Day or Canada Day if the employee or the employee's agent agrees and the public holiday does not fall on a Saturday or Sunday.

(2) The regular working day that the employer may require an employee to work under subsection (1) is the regular working day that would have applied if the day were not Victoria Day or Canada Day.

(3) Subject to subsection (4), if an employee works a regular working day on Victoria Day or Canada Day, the following apply:

1. The employer shall pay the employee for the public holiday in accordance with section 20, if the employee would be entitled to holiday pay under section 19.
2. The employer shall pay the employee the overtime rate determined under section 15 for the work on the public holiday.

(4) If an employee works a regular working day on Victoria Day or Canada Day the employer may, if the employee or the employee's agent agrees, substitute a regular working day for the public holiday and the following apply:

1. The public holiday shall be deemed to be a regular working day.
2. The substituted regular working day shall be deemed to be the public holiday.
3. The substituted regular working day shall be before the employee's next paid vacation day.

(5) If an employee is required to work a regular day on Victoria Day or Canada Day but fails, without reasonable cause, to report for work, the employee is not entitled to holiday pay under section 19.

REQUIREMENTS ARE MINIMUM REQUIREMENTS

22. (1) The requirements in this Schedule are minimum requirements only.

(2) A right, benefit, term or condition of employment under a contract, oral or written, express or implied, or under any Act or any schedule, order or regulation made under an Act that provides in favour of an employee a higher remuneration in money, a greater right or benefit or lesser hours of work than a requirement under this Schedule shall prevail over the requirement under this Schedule.

ASSESSMENT

23. Upon the Director approving this Schedule with respect to this section, each employer in the industry is assessed 0.5 per cent of the employer's payroll for employees with respect to which this Schedule applies.

24. Upon the Director approving this Schedule with respect to this section, each employee in the industry is assessed 0.5 per cent of the employee's wages.

ADVISORY COMMITTEE

25. (1) The advisory committee is authorized to administer and enforce this Schedule.

(2) Without limiting the generality of subsection (1), the advisory committee is authorized,

- (a) to collect the assessments under sections 23 and 24;
- (b) from the amounts collected in respect of assessments, to engage inspectors and other personnel and to make such expenditures as are necessary for the administration and enforcement of this Schedule.

(3) This section does not limit the advisory committee's authority to assist in carrying out the Act or doing anything else it is authorized to do under subsection 18 (1) of the Act.

RICHARD CLARKE
Director of Labour Standards

Dated on April 8, 1999.

20/99

ONTARIO REGULATION 283/99 made under the INDUSTRIAL STANDARDS ACT

Made: April 8, 1999
Approved: April 29, 1999
Filed: April 30, 1999

Amending Reg. 660 of R.R.O. 1990
(Schedule—Ladies' Dress and Sportswear Industry)

Note: Regulation 660 has not previously been amended.

1. The title to Regulation 660 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

SCHEDULE—WOMEN'S DRESS AND SPORTSWEAR INDUSTRY

2. Section 1 of the Regulation is amended by striking out "ladies' dress and sportswear industry" at the end and substituting "women's dress and sportswear industry".

3. The Schedule to the Regulation is amended by striking out sections 1 to 20 and substituting the following:

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Requirements are minimum requirements	22
Assessment	23, 24
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DEFINITIONS

1. In this Schedule,

“homeworker” means a homeworker within the meaning of the *Employment Standards Act*;

“overtime work” means,

- (a) in relation to an employee who is not a homeworker, work, including paid breaks but not including eating periods, on Saturday or Sunday or in excess of 8 hours on any of Monday to Friday,
- (b) in relation to a homeworker, work in excess of 40 hours in a week;

“piece-work basis”, in relation to how an employee is paid, means payment based upon the number of articles or things that are manufactured, prepared, improved, repaired, altered, assembled or completed;

“public holiday” means,

- (a) New Year’s Day,
- (b) Good Friday,
- (c) Victoria Day,
- (d) Canada Day,
- (e) Labour Day,
- (f) Thanksgiving Day,
- (g) Christmas Day, and
- (h) Boxing Day, being December 26 or the Monday next following when Christmas falls on a Saturday;

“week” means the period from midnight on Saturday to midnight on the following Saturday.

MINIMUM WAGE

2. The minimum wage with respect to an employee is the applicable minimum wage established under the *Employment Standards Act*.

MINIMUM PAY FOR SHORT PERIODS OF WORK

3. (1) If an employee is required to work for a period of less than four hours or is required to report to work but does not work any hours, the employee shall be deemed to have worked four hours and the employer shall pay the employee accordingly.

(2) This section does not apply with respect to employees who are homeworkers.

WHEN AN EMPLOYEE MAY NOT BE REQUIRED TO WORK

4. An employer shall not require or allow an employee to perform work,

- (a) on a public holiday; or
- (b) between midnight and 6:00 a.m.

REGULAR WORKING DAY

5. (1) An employee’s regular working day shall not exceed 8 hours including paid breaks but not including eating periods.

(2) A regular working day shall not be on a Saturday or Sunday.

REGULAR WORKING WEEK

6. An employee’s regular working week shall not exceed 40 hours including paid breaks but not including eating periods.

REGULAR WORKING DAY—WORK SCHEDULE

7. (1) If an employer establishes a work schedule in accordance with sections 8 and 9 and satisfies the requirements in those sections, an employee’s regular working day is determined under the work schedule and not under section 10.

(2) This section does not apply with respect to employees who are homeworkers.

WORK SCHEDULE—GENERAL

8. The following apply with respect to an employer’s work schedule:

- 1. The work schedule must set out the starting time of the regular working day for all employees.
- 2. If the work schedule provides for a single shift, a regular working day must not begin after 9:30 a.m.
- 3. A regular working day must not be scheduled on a Saturday or Sunday.
- 4. Each employee must have a ½ hour eating period midway through the employee’s regular working day.
- 5. The employer must file the work schedule with the advisory committee at least seven days before it becomes effective.
- 6. The employer must post the work schedule when the employer files the work schedule with the advisory committee and must

keep it posted while the work schedule is in effect. The work schedule must be posted in a conspicuous place or places in the workplace where it is most likely to come to the attention of the employees to whom it relates.

WORK SCHEDULE—ADDITIONAL REQUIREMENTS IF TWO SHIFTS

9. The employer's work schedule may provide for two shifts subject to the following:

1. The employer must file the work schedule with the advisory committee at least 15 days before it becomes effective instead of as required under paragraph 5 of section 8.
2. An employee shall be scheduled to work only the earlier shift or the later shift and shall not be required to change shifts unless the employee or the employee's agent agrees.
3. An employee who works on the later shift shall be paid at least 5 per cent more than the employee would be paid if the employee worked the earlier shift.
4. If immediately before the work schedule becomes effective the employer only had one shift,
 - i. the work schedule must not result in an employee who was working in that single shift working less than a regular working day or working fewer regular working days, and
 - ii. an employee who was employed immediately before the work schedule became effective shall not be scheduled to work the later shift unless the employee or the employee's bargaining agent agrees.

REGULAR WORKING DAY—NO WORK SCHEDULE

10. (1) If section 7 does not apply, the regular working day for an employee begins at 8:00 a.m. on each of Monday to Friday, with an unpaid ½ hour eating period midway through the working day and two paid 10-minute breaks, one before the eating period and after the eating period.

(2) This section does not apply with respect to employees who are homeworkers.

OVERTIME WORK

11. (1) An employer shall not require or allow an employee to perform overtime work except as allowed under this section.

(2) Subject to subsection (3) and section 4, an employer may require or allow an employee to perform overtime work,

- (a) in accordance with an overtime permit issued by the advisory committee under section 13; or
- (b) in accordance with a permit under Part IV of the *Employment Standards Act*.

(3) An employer shall not require an employee to perform overtime work unless the employee or the employee's agent agrees.

BREAKS RELATING TO OVERTIME

12. (1) Before an employee performs more than two hours of overtime work after the end of a regular working day, the employer shall give the employee a paid 15-minute break.

(2) The break under subsection (1) shall be paid at the overtime rate determined under section 15.

(3) If an employee performs more than five hours of overtime work on a Saturday or Sunday, the employer shall permit the employee a 1/2 hour eating period so that the employee does not work more than five consecutive hours without an eating period.

(4) This section does not apply with respect to employees who are homeworkers.

OVERTIME PERMITS

13. (1) The advisory committee may issue overtime permits.

(2) The advisory committee may issue an overtime permit only if the employer applies for it in writing.

(3) The advisory committee may not issue an overtime permit,

(a) that would permit overtime work that might result in an employee working less than a regular working day or working fewer regular working days unless, before issuing the overtime permit, the advisory committee is of the opinion that the circumstances are exceptional; or

(b) that would permit more than 10 hours of work in one day or more than 48 hours of work in one week.

(4) While an overtime permit is effective, the employer shall keep it posted in a conspicuous place or places in the workplace where it is most likely to come to the attention of the employees to whom it relates.

OVERTIME PAY

14. An employer shall pay an employee the overtime rate determined under section 15 for all overtime work.

15. (1) The overtime rate is an hourly rate for all employees, even for those employees who are not normally paid on an hourly basis.

(2) The overtime rate is one and one-half times the average regular hourly rate determined in accordance with the following:

1. For an employee who is not paid on a piece-work basis, the average regular hourly rate is the average hourly rate for the non-overtime work that the employee performed during the most recent pay period, before the day on which the overtime work is performed, in which the employee performed non-overtime work.

2. For an employee who is paid on a piece-work basis, the average hourly rate is the average hourly rate for the non-overtime work that the employee performed during the six-month period determined as follows,

i. for overtime work performed during the first six months of a year, the six-month period is the last six months of the previous year,

ii. for overtime work performed during the last six months of a year, the six-month period is the first six months of the year.

(3) The overtime rate for an employee who is a homemaker shall be determined under paragraph 2 of subsection (2) whether or not the employee is paid on a piece-work basis.

(4) The following shall not be considered in determining an employee's overtime rate: overtime pay, vacation pay, year-end vacation payments, holiday pay and pay in accordance with subsection 21 (3).

(5) In this section,

"non-overtime work" means work for which an overtime rate is not applicable.

VACATION

16. (1) An employer shall give a vacation of two weeks to an employee upon the completion of each 12 months of employment, whether or not the employment was active employment.

(2) The employer shall determine the period when an employee may take the vacation to which he or she is entitled under subsection (1), which may be a two-week period or two periods of one week each, but in any case the employee shall be given his or her vacation not later than 10 months after the end of the 12-month period for which the vacation was given.

VACATION PAY

17. (1) An employer shall pay an employee vacation pay for the employee's vacation.

(2) An employee's vacation pay shall be equal to 4 per cent of all wages, not including vacation pay or any year-end vacation payment, earned by the employee during the period for which the vacation is given.

YEAR-END VACATION PAYMENT

18. (1) In addition to vacation pay, an employer shall pay a year-end vacation payment in accordance with this section to an employee.

(2) An employee who has been employed by an employer for at least three continuous months is entitled to a year-end vacation payment equal to 2 per cent of all wages, excluding vacation pay, earned during the year to which the year-end vacation payment applies.

(3) For the purpose of this section, the year to which a year-end vacation payment applies shall be,

(a) the 12-month period established for the purpose by the practice of the employer; or

(b) if the employer has not established such a year, the 12-month period beginning on December 1 in a year and ending on November 30 in the following year.

(4) Subject to subsection (5), the employer shall pay the year-end vacation payment no later than six weeks after the end of the year to which it relates.

(5) If the employment of the employee is terminated in a year, the employer shall pay the year-end vacation payment for that year no later than seven days after the termination.

HOLIDAY PAY

19. An employer shall pay an employee for each public holiday unless,

(a) the employee has been employed by the employer for less than three months; or

(b) the employee was scheduled to work on the first regular working day either before or after the public holiday and the employee failed to work that day as scheduled.

20. (1) The amount an employer shall pay an employee for a public holiday is the employee's average daily wage determined in accordance with the following:

1. If the employee is not paid on a piece-work basis, the employee's average daily wage is the average daily wages for the non-overtime work that the employee performed during the two-month period immediately preceding the public holiday.

2. If the employee is paid on a piece-work basis, the average daily wage is the average daily wage for the non-overtime work that the employee performed during the six-month period determined as follows,

i. for a public holiday in the first six months of a year, the six-month period is the last six months of the previous year,

ii. for a public holiday in the last six months of a year, the six-month period is the first six months of the year.

(2) The holiday pay for an employee who is a homemaker shall be determined under paragraph 2 of subsection (1) whether or not the employee is paid on a piece-work basis.

(3) The following shall not be considered in determining the amount of an employee's holiday pay: overtime pay, vacation pay, year-end vacation payments, holiday pay and pay in accordance with subsection 21 (3).

(4) In this section,

"non-overtime work" means work for which an overtime rate is not applicable.

VICTORIA DAY AND CANADA DAY—SPECIAL RULES

21. (1) Despite section 4, an employer may require an employee to work a regular working day on Victoria Day or Canada Day if the employee or the employee's agent agrees and the public holiday does not fall on a Saturday or Sunday.

(2) The regular working day that the employer may require an employee to work under subsection (1) is the regular working day that would have applied if the day were not Victoria Day or Canada Day.

(3) Subject to subsection (4), if an employee works a regular working day on Victoria Day or Canada Day, the following apply:

1. The employer shall pay the employee for the public holiday in accordance with section 20, if the employee would be entitled to holiday pay under section 19.

2. The employer shall pay the employee the overtime rate determined under section 15 for the work on the public holiday.

(4) If an employee works a regular working day on Victoria Day or Canada Day the employer may, if the employee or the employee's agent agrees, substitute a regular working day for the public holiday and the following apply:

1. The public holiday shall be deemed to be a regular working day.

2. The substituted regular working day shall be deemed to be the public holiday.

3. The substituted regular working day shall be before the employee's next paid vacation day.

(5) If an employee is required to work a regular day on Victoria Day or Canada Day but fails, without reasonable cause, to report for work, the employee is not entitled to holiday pay under section 19.

REQUIREMENTS ARE MINIMUM REQUIREMENTS

22. (1) The requirements in this Schedule are minimum requirements only.

(2) A right, benefit, term or condition of employment under a contract, oral or written, express or implied, or under any Act or any schedule, order or regulation made under an Act that provides in favour of an employee a higher remuneration in money, a greater right or benefit or lesser hours of work than a requirement under this Schedule shall prevail over the requirement under this Schedule.

ASSESSMENT

23. Upon the Director approving this Schedule with respect to this section, each employer in the industry is assessed 0.5 per cent of the employer's payroll for employees with respect to which this Schedule applies.

24. Upon the Director approving this Schedule with respect to this section, each employee in the industry is assessed 0.5 per cent of the employee's wages.

ADVISORY COMMITTEE

25. (1) The advisory committee is authorized to administer and enforce this Schedule.

(2) Without limiting the generality of subsection (1), the advisory committee is authorized,

- (a) to collect the assessments under sections 23 and 24;
- (b) from the amounts collected in respect of assessments, to engage inspectors and other personnel and to make such expenditures as are necessary for the administration and enforcement of this Schedule.

(3) This section does not limit the advisory committee's authority to assist in carrying out the Act or doing anything else it is authorized to do under subsection 18 (1) of the Act.

RICHARD CLARKE
Director of Labour Standards

Dated on April 8, 1999.

20/99

ONTARIO REGULATION 284/99
made under the
OCCUPATIONAL HEALTH AND SAFETY ACT

Made: April 29, 1999
Filed: April 30, 1999

Amending Reg. 851 of R.R.O. 1990
(Industrial Establishments)

Note: Since the end of 1998, Regulation 851 has been amended by Ontario Regulation 144/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Section 86 of Regulation 851 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

86. Where a worker is exposed to the hazard of falling into liquid that is of sufficient depth for a life jacket to be effective as protection from the risk of drowning, there shall be an alarm system and rescue

equipment, appropriate in the circumstances, to ensure the worker's rescue from the liquid and,

- (a) the worker shall wear a life jacket; or
- (b) the employer shall develop written measures and procedures to prevent the worker from drowning and shall implement them.

20/99

ONTARIO REGULATION 285/99
made under the
ONTARIO WATER RESOURCES ACT

Made: April 29, 1999
Filed: April 30, 1999

WATER TAKING AND TRANSFER

GENERAL

1. The purpose of this Regulation is to provide for the conservation, protection and wise use and management of Ontario's waters, because Ontario's water resources are essential to the long-term environmental, social and economic well-being of Ontario.

PERMITS FOR TAKING WATER

2. (1) A Director who is considering an application under section 34 of the Act for a permit to take water shall consider the following matters, to the extent that each is relevant, in accordance with the procedures set out in the Ministry of the Environment publication entitled "Permits to Take Water, Guidelines and Procedures Manual, 1999", as amended from time to time:

- 1. Protection of the natural functions of the ecosystem.
- 2. Ground water that may affect or be affected by the proposed surface water taking, if the application is for a permit to take surface water.
- 3. Surface water that may affect or be affected by the proposed ground water taking, if the application is for a permit to take ground water.

(2) A Director who is considering an application under section 34 of the Act for a permit to take water shall consider the interests of persons who have an interest in the taking, to the extent that those interests are relevant.

(3) A Director who is considering an application under section 34 of the Act for a permit to take water may consider the following matters in accordance with the procedures set out in the Ministry of the Environment publication entitled "Permits to Take Water, Guidelines and Procedures Manual, 1999", as amended from time to time:

- 1. Existing and planned livestock uses of the water.
- 2. Existing and planned municipal water supply and sewage disposal uses of the water.
- 3. Existing and planned agricultural uses of the water, other than livestock uses.
- 4. Existing and planned private domestic uses of the water.
- 5. Other existing and planned uses of the water.
- 6. Whether it is in the public interest to grant the permit.

7. Such other matters as the Director considers relevant.

(4) A Director who is considering an application under section 34 of the Act for a permit to take water shall ensure that Ontario's obligations under the Great Lakes Charter with respect to the application are complied with.

(5) Subject to subsection (4), a Director who is considering an application under section 34 of the Act for a permit to take water may ensure that governmental authorities for other jurisdictions are notified of the application and consulted, even if notification and consultation are not required by the Great Lakes Charter.

(6) A Director who is considering an application under section 34 of the Act for a permit to take water may require the applicant to,

- (a) consult with other persons who have an interest in the taking, including governmental authorities for other jurisdictions;
- (b) provide the Director with information on the interests of and responses of the persons consulted under clause (a); and
- (c) provide the Director with such other information as is specified by the Director.

(7) In this section,

"Great Lakes Charter" means the Great Lakes Charter signed by the premiers of Ontario and Quebec and the governors of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania and Wisconsin on February 11, 1985.

WATER TRANSFER

3. (1) For the purposes of this section, Ontario is divided into the following three water basins:

- 1. The Great Lakes-St. Lawrence Basin, which consists of Lake Ontario, Lake Erie, Lake Huron, Lake Superior, the St. Lawrence River and the part of Ontario the water of which drains into any of them, including the Ottawa River and the part of Ontario the water of which drains into the Ottawa River.
- 2. The Nelson Basin, which consists of the part of Ontario the water of which drains into the Nelson River.
- 3. The Hudson Bay Basin, which consists of the part of Ontario, not included in the Nelson Basin, the water of which drains into Hudson Bay or James Bay.

(2) No person shall use water by transferring it out of a water basin.

(3) Subsection (2) does not apply to water that is used in the water basin to manufacture or produce a product that is then transferred out of the water basin.

(4) For the purpose of subsection (3), potable or other water is not a manufactured or produced product.

(5) Subsection (2) does not apply to water that is being transported and that is necessary for the operation of the vehicle, vessel or other form of transport that the water is being transported in, including water that is for the use of people or livestock in or on the vehicle, vessel or other form of transport.

(6) Subsection (2) does not apply to water packaged in a container having a volume of 20 litres or less.

(7) Subsection (2) does not apply to an undertaking that commenced before January 1, 1998 if the amount of water transferred out of a water

basin by the undertaking in any calendar year after December 31, 1997 does not exceed the highest amount of water transferred out of the water basin by the undertaking in any calendar year after December 31, 1960 and before January 1, 1998.

(8) Subsection (2) does not apply to water taken pursuant to the order of the Lieutenant Governor in Council dated October 2, 1913 respecting the Greater Winnipeg Water District.

20/99

ONTARIO REGULATION 286/99 made under the PROFESSIONAL ENGINEERS ACT

Made: April 29, 1999
Approved: April 29, 1999
Filed: April 30, 1999

Amending Reg. 941 of R.R.O. 1990
(General)

Note: Regulation 941 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Section 33 of Regulation 941 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

33. Each applicant for a licence shall comply with the following rules:

- 1. The applicant shall demonstrate that he or she has obtained,
 - i. a bachelor's degree in an engineering program from a Canadian university that is accredited to the Council's satisfaction, or
 - ii. equivalent engineering educational qualifications recognized by the Council.
- 2. The applicant shall demonstrate that he or she has had 48 months of experience in the practice of professional engineering that, in the Council's opinion, provides sufficient experience to enable him or her to meet the generally accepted standards of practical skill required to engage in the practice of professional engineering.
- 3. Up to 12 months of the practical experience referred to in paragraph 2 may be acquired after the applicant has completed one-half of the classroom component of the degree or equivalent educational qualifications. The balance shall be acquired after the degree or equivalent educational qualifications are obtained.
- 4. At least 12 months of the balance referred to in paragraph 3 shall be acquired in a Canadian jurisdiction, under the supervision of one or more persons legally authorized to engage in the practice of professional engineering in that jurisdiction. However, the Council may vary or waive this requirement in circumstances in which it considers it to be in the public interest to do so.
- 5. The applicant shall successfully complete the Professional Practice Examination.

COUNCIL OF THE ASSOCIATION OF
PROFESSIONAL ENGINEERS OF ONTARIO:

WALTER BILANSKI
President

L. MACDONALD
Registrar

20/99

ONTARIO REGULATION 287/99
made under the
ARCHITECTS ACT

Made: March 4, 1999
Approved: April 29, 1999
Filed: April 30, 1999

Amending Reg. 27 of R.R.O. 1990
(General)

Note: Regulation 27 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Section 16 of Regulation 27 of the Revised Regulations of Ontario, 1990 is amended by adding the following subsection:

(1.1) Where only one candidate is nominated for the office of president, the office of vice-president and treasurer or for each office of vice-president, the Registrar shall certify the candidate as elected by acclamation.

2. Subsection 18 (4) of the Regulation is revoked and the following substituted:

(4) A determination of the Academic Requirements Committee made in a meeting of the Committee requires the vote of a majority of the members of the Committee who are present at the meeting, including those members who are deemed to be present at a meeting under paragraph 7 of subsection 8 (1) of the Act.

3. Subsection 19 (4) of the Regulation is revoked and the following substituted:

(4) A determination of the Experience Requirements Committee made in a meeting of the Committee requires the vote of a majority of the members of the Committee who are present at the meeting, including those members who are deemed to be present at a meeting under paragraph 7 of subsection 8 (1) of the Act.

4. Subsection 20 (4) of the Regulation is revoked and the following substituted:

(4) A determination of the Registration Committee made in a meeting or a hearing of the Committee requires the vote of a majority of the members of the Committee who are present at the meeting, including those members who are deemed to be present at a meeting under paragraph 7 of subsection 8 (1) of the Act.

5. Section 21 of the Regulation is amended by adding the following subsection:

(2) A determination of the Complaints Committee made in a meeting of the Committee requires the vote of a majority of the members of the Committee who are present at the meeting, including those members who are deemed to be present at a meeting under paragraph 7 of subsection 8 (1) of the Act.

6. Section 22 of the Regulation is amended by adding the following subsection:

(2) A determination of the Discipline Committee made in a meeting of the Committee requires the vote of a majority of the members of the Committee who are present at the meeting, including those members who are deemed to be present at a meeting under paragraph 7 of subsection 8 (1) of the Act.

7. Section 24 of the Regulation is revoked and the following substituted:

24. The following are prescribed as classes of persons whose interests are related to those of the Association:

1. Intern architects.
2. Student associates.
3. Honorary members.
4. Life members.
5. Retired members.

8. Section 25 of the Regulation is revoked.

9. Subsection 29 (1) of the Regulation is revoked and the following substituted:

(1) A life member is a person who has resigned his or her membership in the Association, who has thereafter held the status of retired member and who is elected as a life member by the Council.

10. Paragraph 27 of the definition of "professional misconduct" in section 42 of the Regulation is revoked and the following substituted:

27. Knowingly making a false representation or statement in an application for a licence, reinstatement of a licence, certificate of practice, certificate of practice issued under section 23 of the Act, temporary licence or seal, or in an application to participate in, or for exemption from, the indemnity plan.

11. Section 44 of the Regulation is amended by adding the following paragraph:

5. The applicant must file with the Registrar a statutory declaration in which the applicant affirms that the applicant has not engaged in the practice of architecture in the Province of Ontario or held himself, herself or itself out as engaging in the practice of architecture in the Province of Ontario, from the date of cancellation to the date of the application for reinstatement.

12. The Regulation is amended by adding the following sections:

53. For the purpose of section 21 of the Act, the proportion of the shares of corporations that engage in the practice of architecture is 49 per cent.

54. (1) The Council shall establish a program of continuing education for members.

(2) The program shall include continuing education activities that may be offered by the Council or by other persons, consisting of courses of study, seminars, workshops, self-directed learning and professional activities approved by the Council.

(3) In each two-year period determined by the Council for the purpose of this section, a member of the Association shall spend 70 hours in continuing education activities approved by the Council.

COUNCIL OF THE ONTARIO ASSOCIATION OF ARCHITECTS:

CHRISTOPHER FILLINGHAM
President

BRIAN WATKINSON
Executive Director

Made by the Council on March 4, 1999.

20/99

ONTARIO REGULATION 288/99made under the
COURTS OF JUSTICE ACTMade: April 14, 1999
Approved: April 29, 1999
Filed: April 30, 1999Amending Reg. 194 of R.R.O. 1990
(Rules of Civil Procedure)

Note: Regulation 194 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. (1) Subrule 1.02 (1) of Regulation 194 of the Revised Regulations of Ontario, 1990 is amended by adding the following paragraph:

2. They do not apply to proceedings in the Family Court of the Superior Court of Justice, which are governed by Ontario Regulation 114/99 (Family Law Rules), except as provided in those rules. The Family Court has jurisdiction in the areas listed in the Schedule to this subrule.

(2) Subrule 1.02 (1) of the Regulation is amended by adding the following Schedule:

Schedule

Regional Municipality of Durham
County of Frontenac
County of Haliburton
Regional Municipality of Hamilton-Wentworth
County of Lanark
United Counties of Leeds and Grenville
County of Lennox and Addington
County of Middlesex
Territorial District of Muskoka
The part of The Regional Municipality of Niagara that was the County of Lincoln as it existed on December 31, 1969
County of Northumberland
Regional Municipality of Ottawa-Carleton
County of Peterborough
United Counties of Prescott and Russell
County of Simcoe
United Counties of Stormont, Dundas and Glengarry
County of Victoria
Regional Municipality of York

(3) Rule 1.02 of the Regulation is amended by adding the following subrule:

Combined Proceeding in Family Court of Superior Court of Justice

(1.1) Where a proceeding in the Family Court of the Superior Court of Justice combines a matter to which the Family Law Rules apply with a matter to which these rules would ordinarily apply, the parties may agree or the court on motion may order that the Family Law Rules apply to the combined proceeding or part of it.

2. Rule 1 of the Regulation is amended by adding the following rule:

TELEPHONE AND VIDEO CONFERENCES***Where Available***

1.08 (1) If facilities for a telephone or video conference are available at the court or are provided by a party, all or part of any of the fol-

RÈGLEMENT DE L'ONTARIO 288/99
pris en application de la
LOI SUR LES TRIBUNAUX JUDICIAIRESpris le 14 avril 1999
approuvé le 29 avril 1999
déposé le 30 avril 1999modifiant le Règl. 194 des R.R.O. de 1990
(Règles de procédure civile)

Remarque : Le Règlement 194 a été modifié antérieurement. Ces modifications sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1998.

1. (1) Le paragraphe 1.02 (1) du Règlement 194 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction de la disposition suivante :

2. Elles ne s'appliquent pas aux instances devant la Cour de la famille de la Cour supérieure de justice, qui sont régies par le Règlement de l'Ontario 114/99 (Règles en matière de droit de la famille), si ce n'est comme le prévoient ces règles. La Cour de la famille a compétence dans les secteurs figurant à l'annexe du présent paragraphe.

(2) Le paragraphe 1.02 (1) du Règlement est modifié par adjonction de l'annexe suivante :

Annexe

La municipalité régionale de Durham
Le comté de Frontenac
Le comté de Haliburton
La municipalité régionale de Hamilton-Wentworth
Le comté de Lanark
Les comtés unis de Leeds et Grenville
Le comté de Lennox et Addington
Le comté de Middlesex
Le district territorial de Muskoka
La partie de la municipalité régionale de Niagara qui constituait le comté de Lincoln tel qu'il existait le 31 décembre 1969
Le comté de Northumberland
La municipalité régionale d'Ottawa-Carleton
Le comté de Peterborough
Les comtés unis de Prescott et Russell
Le comté de Simcoe
Les comtés unis de Stormont, Dundas et Glengarry
Le comté de Victoria
La municipalité régionale de York

(3) La règle 1.02 du Règlement est modifiée par adjonction du paragraphe suivant :

Questions réunies dans une instance devant la Cour de la famille de la Cour supérieure de justice

(1.1) Si une instance devant la Cour de la famille de la Cour supérieure de justice réunit une question à laquelle s'appliquent les Règles en matière de droit de la famille et une question à laquelle ces règles s'appliqueraient normalement, les parties peuvent convenir ou le tribunal, sur motion, peut ordonner que les Règles en matière de droit de la famille s'appliquent à l'instance issue de la réunion ou à une partie de cette instance.

2. La Règle 1 du Règlement est modifiée par adjonction de la règle suivante :

CONFÉRENCES TÉLÉPHONIQUES ET VIDÉOCONFÉRENCES***Applicabilité***

1.08 (1) Si des installations en vue de la tenue d'une conférence téléphonique ou d'une vidéoconférence sont disponibles au tribunal ou

lowing proceedings or steps in a proceeding may be heard or conducted by telephone or video conference as permitted by subrules (2) to (5):

1. A motion (Rule 37).
2. An application (Rule 38).
3. A status hearing (rule 48.14).
4. At trial, the oral evidence of a witness and the argument.
5. A reference (rule 55.02).
6. An appeal or a motion for leave to appeal (Rules 61 and 62).
7. A proceeding for judicial review.
8. A case conference (rule 77.13), a settlement conference (rule 77.14) or a trial management conference (rule 77.15).

Consent

(2) If the parties consent to a telephone or video conference and if the presiding judge or officer permits it, one of the parties shall make the necessary arrangements.

Order, No Consent

(3) If the parties do not consent, the court on motion may make an order directing a telephone or video conference on such terms as are just.

(4) The judge or officer presiding at a proceeding or step in a proceeding may set aside or vary an order made under subrule (3).

Factors to Consider

(5) In deciding whether to permit or to direct a telephone or video conference, the court shall consider,

- (a) the general principle that evidence and argument should be presented orally in open court;
- (b) the importance of the evidence to the determination of the issues in the case;
- (c) the effect of the telephone or video conference on the court's ability to make findings, including determinations about the credibility of witnesses;
- (d) the importance in the circumstances of the case of observing the demeanour of a witness;
- (e) whether a party, witness or solicitor for a party is unable to attend because of infirmity, illness or any other reason;
- (f) the balance of convenience between the party wishing the telephone or video conference and the party or parties opposing; and
- (g) any other relevant matter.

Arrangements for Conference

(6) Where the court permits or directs a telephone or video conference, the court may direct a party to make the necessary arrangements and to give notice of those arrangements to the other parties and to the court.

3. Subrule 4.01 (3) of the Regulation is revoked and the following substituted:

(3) Despite subrule (1), where these rules provide for the electronic issuing or filing of a document in a proceeding, the document is sufficient if it meets the standards of the software authorized by the Ministry of the Attorney General.

sont fournies par une partie, tout ou partie de l'une ou l'autre des instances ou étapes d'une instance suivantes peut être entendu ou mené par conférence téléphonique ou vidéoconférence comme le permettent les paragraphes (2) à (5) :

1. Une motion (Règle 37).
2. Une requête (Règle 38).
3. Une audience sur l'état de l'instance (règle 48.14).
4. Lors du procès, le témoignage oral d'un témoin et la plaidoirie.
5. Un renvoi (règle 55.02).
6. Un appel ou une motion en autorisation d'interjeter appel (Règles 61 et 62).
7. Une instance relative à la révision judiciaire.
8. Une conférence relative à la cause (règle 77.13), une conférence en vue d'une transaction (règle 77.14) ou une conférence de gestion du procès (règle 77.15).

Consentement

(2) Si les parties consentent à une conférence téléphonique ou à une vidéoconférence et que le juge ou l'officier de justice qui préside l'auto-rite, l'une des parties prend les dispositions nécessaires.

Ordonnance en l'absence de consentement

(3) Si les parties ne donnent pas leur consentement, le tribunal peut, sur motion, rendre une ordonnance prescrivant la tenue d'une conférence téléphonique ou d'une vidéoconférence, à des conditions justes.

(4) Le juge ou l'officier de justice qui préside une instance ou une étape d'une instance peut annuler ou modifier une ordonnance rendue en vertu du paragraphe (3).

Facteurs à prendre en considération

(5) Lorsqu'il décide s'il doit autoriser ou ordonner la tenue d'une conférence téléphonique ou d'une vidéoconférence, le tribunal tient compte des facteurs suivants :

- a) le principe général selon lequel les témoignages et les plaidoiries devraient être présentés oralement en audience publique;
- b) l'importance des témoignages pour ce qui est de trancher les questions en litige dans la cause;
- c) l'effet de la conférence téléphonique ou de la vidéoconférence sur la capacité du tribunal d'émettre des conclusions, y compris des décisions relatives à la crédibilité des témoins;
- d) l'importance d'observer le comportement d'un témoin, compte tenu des circonstances de l'affaire;
- e) la question de savoir si une partie, un témoin ou le procureur d'une partie ne peut se présenter pour cause d'infirmité, de maladie ou pour tout autre motif;
- f) la prépondérance des inconvénients qu'il établit entre ceux que subirait la partie qui souhaite la tenue de la conférence téléphonique ou de la vidéoconférence et ceux que subiraient la ou les parties qui s'y opposent;
- g) les autres questions pertinentes.

Dispositions relatives à la conférence

(6) Le tribunal qui autorise ou ordonne la tenue d'une conférence téléphonique ou d'une vidéoconférence peut enjoindre à une partie de prendre les dispositions nécessaires à cette fin et d'en donner avis aux autres parties et au tribunal.

3. Le paragraphe 4.01 (3) du Règlement est abrogé et remplacé par ce qui suit :

(3) Malgré le paragraphe (1), si les présentes règles prévoient la délivrance électronique ou le dépôt électronique d'un document dans une instance, celui-ci est suffisant s'il satisfait aux normes du logiciel autorisé par le ministère du Procureur général.

4. Rule 4.01.1 of the Regulation is revoked.**5. Rule 4.05 of the Regulation is amended by adding the following subrules:****Confirmation of Issuance**

(1.3) After a document is issued electronically, the registrar shall send a confirmation of issuance to the party that had the document issued.

Confirmation of Filing

(4.2) After a document is filed electronically, the registrar shall send a confirmation of filing to the party that filed the document.

6. The Regulation is amended by adding the following rule:**ELECTRONIC DOCUMENTS**

4.05.1 (1) Where an action has been commenced in a county named in the Schedule to this subrule, a lawyer, or another person who has filed a requisition with the registrar, may use the authorized software to issue or to file electronically the following documents, to date them and to record the date of issue or filing:

1. Notice of commencement of proceeding.
2. Notice of action.
3. Statement of claim.
4. Notice to file financial statement.
5. Notice of intent to defend.
6. Statement of defence.
7. Statement of defence and counterclaim.
8. Statement of defence and counterclaim against a person who is not a party.
9. Statement of defence and crossclaim.
10. Third or subsequent party claim.
11. Defence to counterclaim, crossclaim or third party claim.
12. Counterpetition.
13. Answer to counterpetition.
14. Reply (divorce).
15. Requisition to note default.
16. Certificate of service.
17. Requisition for default judgment.
18. Certificate of litigation guardian for plaintiff.
19. Certificate of litigation guardian for defendant.

Schedule**CITY OF TORONTO**

(2) A lawyer, another person who has filed a requisition with the registrar or the Workplace Safety and Insurance Board may use the authorized software to issue or to file electronically the following documents, to date them and to record the date of issue or filing:

1. A declaration under subrule 60.02 (3) to enforce a certificate of assessment.
2. A requisition under subrule 60.07 (1.1) or (1.2).
3. A writ of seizure and sale under subrule 60.07 (1.1) or (1.2).
4. A request to renew under subrule 60.07 (8).
5. An amendment to the writ under subrule 60.07 (11).
6. A change of address under subrule 60.07 (12.2).
7. A withdrawal of writ under subrule 60.15 (2.1).

7. (1) Subrule 7.02 (2) of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

Affidavit or Certificate to be Filed

(2) No person except the Children's Lawyer or the Public Guardian and Trustee shall act as litigation guardian for a plaintiff or applicant

4. La règle 4.01.1 du Règlement est abrogée.**5. La règle 4.05 du Règlement est modifiée par adjonction des paragraphes suivants :****Confirmation de la délivrance**

(1.3) À la suite de la délivrance électronique d'un document, le greffier envoie une confirmation de la délivrance à la partie qui l'a fait délivrer.

Confirmation du dépôt

(4.2) À la suite du dépôt électronique d'un document, le greffier envoie une confirmation du dépôt à la partie qui l'a déposé.

6. Le Règlement est modifié par adjonction de la règle suivante :**DOCUMENTS ÉLECTRONIQUES**

4.05.1 (1) Si une action a été introduite dans un comté mentionné dans l'annexe du présent paragraphe, un avocat ou une autre personne qui a déposé une réquisition auprès du greffier peut utiliser le logiciel autorisé pour délivrer ou déposer électroniquement les documents suivants, les dater et enregistrer la date de délivrance ou de dépôt :

1. Avis d'introduction d'instance.
2. Avis d'action.
3. Déclaration.
4. Avis enjoignant de déposer un état financier.
5. Avis d'intention de présenter une défense.
6. Défense.
7. Défense et demande reconventionnelle.
8. Défense et demande reconventionnelle contre un tiers.
9. Défense et demande entre défendeurs.
10. Mise en cause ou mise en cause subséquente.
11. Défense reconventionnelle, défense à la demande entre défendeurs ou défense à la mise en cause.
12. Requête reconventionnelle en divorce.
13. Défense à la requête reconventionnelle en divorce.
14. Réponse à la défense à la requête en divorce.
15. Réquisition visant à constater le défaut.
16. Certificat de signification.
17. Réquisition de jugement par défaut.
18. Certificat de tuteur à l'instance du demandeur.
19. Certificat de tuteur à l'instance du défendeur.

Annexe**CITÉ DE TORONTO**

(2) Un avocat ou une autre personne qui a déposé une réquisition auprès du greffier ou la Commission de la sécurité professionnelle et de l'assurance contre les accidents du travail peut utiliser le logiciel autorisé pour délivrer ou déposer électroniquement les documents suivants, les dater et enregistrer la date de délivrance ou de dépôt :

1. Une déclaration visée au paragraphe 60.02 (3) en vue de mettre à exécution un certificat de liquidation des dépens.
2. Une réquisition visée au paragraphe 60.07 (1.1) ou (1.2).
3. Un bref de saisie-exécution visé au paragraphe 60.07 (1.1) ou (1.2).
4. Une demande de renouvellement visée au paragraphe 60.07 (8).
5. La modification d'un bref visée au paragraphe 60.07 (11).
6. Un changement d'adresse visé au paragraphe 60.07 (12.2).
7. Le retrait d'un bref visé au paragraphe 60.15 (2.1).

7. (1) Le paragraphe 7.02 (2) du Règlement est modifié par substitution de ce qui suit au passage précédant l'alinéa a) :

Obligation de déposer un affidavit ou un certificat

(2) À l'exception de l'avocat des enfants ou du Tuteur et curateur public, nul ne peut agir en qualité de tuteur à l'instance d'un demandeur

who is under disability until the person has filed an affidavit or, where the originating process is issued electronically, a certificate in which the person,

(2) Rule 7.02 of the Regulation is amended by adding the following subrule:

- (3) A person who files a certificate under subrule (2) shall,
 - (a) swear an affidavit under that subrule;
 - (b) keep the affidavit; and
 - (c) on the request of the court or of a party, produce the affidavit to the court or the party, as the case may be.

8. Subrule 7.03 (2.2) of the Regulation is revoked and the following substituted:

Affidavit or Certificate by Guardian or Attorney

(2.2) A person who has authority under subrule (2.1) to act as litigation guardian shall, before acting in that capacity in a proceeding, file an affidavit or, where the defence is filed electronically, a certificate containing the information referred to in subrule (10).

- (2.3) A person who files a certificate under subrule (2.2) shall,
 - (a) swear an affidavit under that subrule;
 - (b) keep the affidavit;
 - (c) on the request of the court or a party, produce the affidavit to the court or the party, as the case may be.

9. Rule 12 of the Regulation is amended by adding the following rule:

PROCEEDING BY UNINCORPORATED ASSOCIATION OR TRADE UNION

12.08 Where numerous persons are members of an unincorporated association or trade union and a proceeding under the *Class Proceedings Act, 1992* would be an unduly expensive or inconvenient means for determining their claims, one or more of them may be authorized by the court to bring a proceeding on behalf of or for the benefit of all.

10. Rule 14.07 of the Regulation is amended by adding the following subrule:

(3) Where the originating process is filed electronically, it is issued when it is accepted by the court's computer and a court file number is assigned to it.

11. Subrule 15.04 (4) of the Regulation is revoked and the following substituted:

Contents of Order

- (4) The order removing a solicitor from the record shall include,
 - (a) the client's last known address, or the address for service if different;
 - (b) the client's telephone number and fax number, if any, unless the court orders otherwise; and
 - (c) if the client is a corporation, the text of subrules (6) and (7).

12. Rule 19.01 of the Regulation is amended by adding the following subrule:

ou d'un requérant qui est incapable avant d'avoir déposé un affidavit ou, si l'acte introductif d'instance est délivré électroniquement, un certificat dans lequel :

(2) La règle 7.02 du Règlement est modifiée par adjonction du paragraphe suivant :

- (3) Quiconque dépose un certificat aux termes du paragraphe (2) :
 - a) souscrit un affidavit aux termes de ce paragraphe;
 - b) conserve l'affidavit;
 - c) sur demande du tribunal ou d'une partie, présente l'affidavit au tribunal ou à la partie, selon le cas.

8. Le paragraphe 7.03 (2.2) du Règlement est abrogé et remplacé par ce qui suit :

Affidavit ou certificat déposé par le tuteur ou le procureur

(2.2) La personne qui est habilitée à agir en qualité de tuteur à l'instance aux termes du paragraphe (2.1) dépose, avant d'agir en cette qualité dans une instance, un affidavit ou, si la défense est déposée électroniquement, un certificat contenant les renseignements visés au paragraphe (10).

(2.3) Quiconque dépose un certificat aux termes du paragraphe (2.2) :

- a) souscrit un affidavit aux termes de ce paragraphe;
- b) conserve l'affidavit;
- c) sur demande du tribunal ou d'une partie, présente l'affidavit au tribunal ou à la partie, selon le cas.

9. La Règle 12 du Règlement est modifiée par adjonction de la règle suivante :

INSTANCE INTRODUITE PAR UNE ASSOCIATION SANS PERSONNALITÉ MORALE OU UN SYNDICAT

12.08 Si de nombreuses personnes sont membres d'une association sans personnalité morale ou d'un syndicat et qu'une instance prévue par la *Loi de 1992 sur les recours collectifs* constituerait un moyen indûment coûteux ou incommode de décider de leurs demandes, le tribunal peut autoriser l'une ou plusieurs d'entre elles à introduire une instance au nom ou au profit de toutes.

10. La règle 14.07 du Règlement est modifiée par adjonction du paragraphe suivant :

(3) Si l'acte introductif d'instance est déposé électroniquement, il est délivré lorsqu'il est accepté par l'ordinateur du tribunal et qu'un numéro de dossier lui est attribué.

11. Le paragraphe 15.04 (4) du Règlement est abrogé et remplacé par ce qui suit :

Contenu de l'ordonnance

- (4) L'ordonnance comprend ce qui suit :
 - a) la dernière adresse connue du client ou son domicile élu s'il est différent;
 - b) le numéro de téléphone du client et, le cas échéant, son numéro de télécopieur, sauf ordonnance contraire du tribunal;
 - c) si le client est une personne morale, le texte des paragraphes (6) et (7).

12. La règle 19.01 du Règlement est modifiée par adjonction du paragraphe suivant :

Noting Default Electronically

(1.1) Where a plaintiff files electronically a requisition for the noting in default of a defendant and the registrar notes the defendant in default, the registrar shall send the plaintiff confirmation of the noting in default.

13. Rule 19.04 of the Regulation is amended by adding the following subrule:

Signing Default Judgment Electronically

(1.1) Where a plaintiff files electronically a requisition for the noting in default of a defendant and the registrar signs judgment against the defendant, the registrar shall send the plaintiff confirmation of the signing of the default judgment.

14. Clause 24.1.15 (5) (b) of the Regulation is amended by striking out "proceeding" and substituting "action".

15. Rules 37.12, 38.12 and 50.08 of the Regulation are revoked.

16. Rule 53.09 of the Regulation is revoked and the following substituted:

CALCULATION OF AWARDS FOR FUTURE PECUNIARY DAMAGES**Discount Rate**

53.09 (1) The discount rate to be used in determining the amount of an award in respect of future pecuniary damages, to the extent that it reflects the difference between estimated investment and price inflation rates, is,

- (a) for the 15-year period that follows the start of the trial, the average of the value for the last Wednesday in each month of the real rate of interest on long-term Government of Canada real return bonds (Series B113911), as published in the *Bank of Canada Weekly Financial Statistics* for the 12 months ending on August 31 in the year before the year in which the trial begins, less 1 per cent and rounded to the nearest ¼ per cent; and

- (b) for any later period covered by the award, 2.5 per cent per year.

Gross Up

(2) In calculating the amount to be included in the award to offset any liability for income tax on income from investment of the award, the court shall,

- (a) assume that the entire award will be invested in fixed income securities; and
- (b) determine the rate to be assumed for future inflation in accordance with the following formula:

$$g + 1 \text{ per cent, rounded to the nearest } \frac{1}{4} \text{ per cent}$$

where,

$$g = \frac{(1 + i)}{(1 + d)} - 1$$

"i" is the average of the value for the last Wednesday in each month of the nominal rate of interest on long-term Government of Canada bonds (Series B113867), as published in the *Bank of Canada Weekly Financial Statistics*, for the 12 months ending on August 31 in the year before the year in which the trial begins,

"d" is,

- (a) for the 15-year period that follows the start of the trial, the average of the value for the last Wednesday in each

Constataction du défaut par voie électronique

(1.1) Si un demandeur dépose électroniquement une réquisition visant à constater le défaut d'un défendeur et que le greffier constate le défendeur en défaut, le greffier envoie au demandeur une confirmation de la constatation du défaut.

13. La règle 19.04 du Règlement est modifiée par adjonction du paragraphe suivant :

Consignation électronique du jugement par défaut

(1.1) Si un demandeur dépose électroniquement une réquisition visant à constater le défaut d'un défendeur et que le greffier consigne un jugement contre le défendeur, le greffier envoie au demandeur une confirmation de la consignation.

14. L'alinéa 24.1.15 (5) b) du Règlement est modifié par substitution de «l'action» à «l'instance».

15. Les règles 37.12, 38.12 et 50.08 du Règlement sont abrogées.

16. La règle 53.09 du Règlement est abrogée et remplacée par ce qui suit :

CALCUL DES INDEMNITÉS ADJUGÉES POUR PERTES PÉCUNIAIRES FUTURES**Taux d'escompte**

53.09 (1) Le taux d'escompte applicable au calcul du montant d'une indemnité pour pertes pécuniaires futures, dans la mesure où il reflète la différence entre les taux estimatifs de placement et d'inflation, est le suivant :

- a) pendant la période de 15 ans qui suit le début du procès, la moyenne des taux d'intérêt réels sur les obligations à long terme à rendement réel du Gouvernement du Canada (série B113911), au dernier mercredi de chaque mois, tels qu'ils sont publiés dans le *Bulletin hebdomadaire de statistiques financières* de la Banque du Canada, pour les 12 mois se terminant le 31 août de l'année précédant celle où commence le procès, réduite de 1 pour cent et arrondie au ¼ de pour cent le plus près;

- b) pendant toute période ultérieure visée par l'indemnité, 2,5 pour cent par année.

Majoration

(2) Dans le calcul du montant à inclure dans l'indemnité pour compenser l'impôt à payer sur le revenu provenant du placement de celle-ci, le tribunal :

- a) suppose que le montant total de l'indemnité sera placé dans des valeurs à revenu fixe;
- b) détermine le taux d'inflation futur à retenir conformément à la formule suivante :

$$g + 1 \text{ pour cent, arrondi au } \frac{1}{4} \text{ de pour cent le plus près}$$

où :

$$g = \frac{(1 + i)}{(1 + d)} - 1$$

«i» correspond à la moyenne des taux d'intérêt nominaux sur les obligations à long terme du Gouvernement du Canada (série B113867), au dernier mercredi de chaque mois, tels qu'ils sont publiés dans le *Bulletin hebdomadaire de statistiques financières* de la Banque du Canada, pour les 12 mois se terminant le 31 août de l'année précédant celle où commence le procès;

«d» correspond à ce qui suit :

- a) pendant la période de 15 ans qui suit le début du procès, la moyenne des taux d'intérêt réels sur les obligations

month of the real rate of interest on long-term Government of Canada real return bonds (Series B113911), as published in the *Bank of Canada Weekly Financial Statistics* for the 12 months ending on August 31 in the year before the year in which the trial begins, and

- (b) for any later period covered by the award, 2.5 per cent per year.

17. Subrule 54.08 (1) of the Regulation is amended by striking out "subject to subrule 69.21 (3) (reference to family law commissioner)".

18. Subrule 60.02 (3) of the Regulation is revoked and the following substituted:

Electronic Filing of Declaration

(3) Where a party may enforce payment of costs under subrule (2), payment may be enforced under rule 60.07 by a writ of seizure and sale (Form 60A) by filing electronically under subrule 4.05.1 (2) a declaration setting out the basis of the entitlement to costs.

19. (1) Subrules 60.07 (1.1), (8.1), (11.1) and (12.2) of the Regulation are revoked and the following substituted:

Electronic Issue of Writ

(1.1) Where an order may be enforced by a writ of seizure and sale, a creditor is entitled to the electronic issue of one or more writs of seizure and sale on filing electronically under subrule 4.05.1 (2) a requisition setting out,

- (a) the date and amount of any payment received since the order was made; and
- (b) the amount owing and the rate of postjudgment interest.

(8.1) A creditor may file electronically under subrule 4.05.1 (2) a request to renew under subrule (8).

(11.1) On a motion referred to in subrule (10), the court may grant the creditor leave to file an amendment to the writ electronically under subrule 4.05.1 (2) to show the new name, the alias or the spelling variation.

(12.2) If the address of the creditor or the creditor's lawyer changes after the writ is issued, the creditor may have the new address recorded by filing a change of address form electronically under subrule 4.05.1 (2).

(2) Rule 60.07 of the Regulation is amended by adding the following subrule:

Sheriff may Decline to Enforce

(13.1) The sheriff may decline to enforce the writ of seizure and sale, and the creditor may make a motion to the court for directions, where the sheriff is uncertain whether the writ of seizure and sale has been properly issued or filed.

20. Subrule 60.15 (2.1) of the Regulation is revoked and the following substituted:

(2.1) A party who has filed a writ with a sheriff may withdraw it as against one or more of the debtors named in it by filing a withdrawal of writ electronically under subrule 4.05.1 (2).

à long terme à rendement réel du Gouvernement du Canada (série B113911), au dernier mercredi de chaque mois, tels qu'ils sont publiés dans le *Bulletin hebdomadaire de statistiques financières* de la Banque du Canada, pour les 12 mois se terminant le 31 août de l'année précédant celle où commence le procès,

- (b) pendant toute période ultérieure visée par l'indemnité, 2,5 pour cent par année.

17. Le paragraphe 54.08 (1) du Règlement est modifié par suppression de «sous réserve du paragraphe 69.21 (3) (renvoi au commissaire au droit de la famille),» .

18. Le paragraphe 60.02 (3) du Règlement est abrogé et remplacé par ce qui suit :

Dépôt électronique d'une déclaration

(3) Si une partie peut se faire payer des dépens en vertu du paragraphe (2), l'exécution forcée du paiement peut se faire en vertu de la règle 60.07 au moyen d'un bref de saisie-exécution (formule 60A) en déposant électroniquement en vertu du paragraphe 4.05.1 (2) une déclaration exposant le fondement du droit aux dépens.

19. (1) Les paragraphes 60.07 (1.1), (8.1), (11.1) et (12.2) du Règlement sont abrogés et remplacés par ce qui suit :

Délivrance électronique de brefs

(1.1) Si une ordonnance peut être exécutée au moyen d'un bref de saisie-exécution, un créancier a droit à la délivrance électronique d'un ou de plusieurs brefs de saisie-exécution lorsqu'il dépose électroniquement en vertu du paragraphe 4.05.1 (2) une réquisition exposant :

- a) la date et le montant des paiements reçus depuis que l'ordonnance a été rendue;
- b) le montant qui reste dû et le taux des intérêts postérieurs au jugement.

(8.1) Un créancier peut déposer électroniquement en vertu du paragraphe 4.05.1 (2) la demande de renouvellement visée au paragraphe (8).

(11.1) Sur motion visée au paragraphe (10), le tribunal peut autoriser le créancier à déposer électroniquement en vertu du paragraphe 4.05.1 (2) une modification relative au bref et visant l'indication du nouveau nom, du nom d'emprunt ou de la variante.

(12.2) Si l'adresse du créancier ou de son avocat change après la délivrance du bref, le créancier peut faire inscrire la nouvelle adresse en déposant électroniquement une formule de changement d'adresse en vertu du paragraphe 4.05.1 (2).

(2) La règle 60.07 du Règlement est modifiée par adjonction du paragraphe suivant :

Refus d'exécution de la part du shérif

(13.1) Le shérif peut refuser d'exécuter le bref de saisie-exécution et le créancier peut présenter au tribunal une motion en vue d'obtenir des directives si le shérif n'est pas sûr que le bref de saisie-exécution ait été délivré ou déposé en bonne et due forme.

20. Le paragraphe 60.15 (2.1) du Règlement est abrogé et remplacé par ce qui suit :

(2.1) La partie qui a déposé un bref auprès d'un shérif peut le retirer en ce qui concerne un ou plusieurs des débiteurs dont les noms y figurent en déposant électroniquement un acte de retrait du bref en vertu du paragraphe 4.05.1 (2).

(2.1) A party who has filed a writ with a sheriff may withdraw it as against one or more of the debtors named in it by filing a withdrawal of writ electronically under subrule 4.05.1 (2).

21. Rule 61.06 of the Regulation is amended by adding the following subrule:

(1.1) If an order is made under subrule (1), rules 56.04, 56.05, 56.07 and 56.08 apply, with necessary modifications.

22. (1) The French version of subrule 63.03 (4) of the Regulation is amended by striking out "du bref" and substituting "de l'ordonnance".

(2) Subrule 63.03 (5) of the Regulation is amended by adding "under subrule (4)" after "A requisition for a certificate of stay".

(3) Rule 63.03 of the Regulation is amended by adding the following subrules:

(5.1) If an order of the Ontario Rental Housing Tribunal is stayed under subsection 25 (1) of the *Statutory Powers Procedure Act*, the registrar of the court to which an appeal has been taken shall issue, on requisition by a party to the appeal, a certificate of stay (Form 63B) and, when the certificate has been filed with the sheriff, the sheriff shall not commence or continue enforcement of the order until satisfied that the stay is no longer in effect.

(5.2) A requisition for a certificate of stay under subrule (5.1) shall state that there is no order of the Ontario Rental Housing Tribunal that would prevent the automatic stay pending appeal.

23. Rule 69.01 of the Regulation is amended by adding the following subrule:

(2) They do not apply to proceedings in the Family Court of the Superior Court of Justice, which are governed by Ontario Regulation 114/99 (Family Law Rules), except as provided by those rules.

24. Rule 69.21 of the Regulation is revoked.

25. Rule 70.01 of the Regulation is amended by adding the following subrule:

(2) They do not apply to proceedings in the Family Court of the Superior Court of Justice, which are governed by Ontario Regulation 114/99 (Family Law Rules), except as provided by those rules.

26. Rules 70.07, 70.10 and 71 of the Regulation are revoked.

27. Rule 77.06 of the Regulation is amended by adding the following subrule:

(4.1) Subrules (3) and (4) do not apply where an originating process is issued electronically.

28. Rule 77.09 of the Regulation is amended by adding the following subrule:

(4.1) Subrule (4) does not apply where a defence is filed electronically.

29. Form 14E of the Regulation is amended by striking out "not later than 2 p.m. on the day before the hearing" at the end of the fourth paragraph and substituting "at least two days before the hearing".

(2.1) La partie qui a déposé un bref auprès d'un shérif peut le retirer en ce qui concerne un ou plusieurs des débiteurs dont les noms y figurent en déposant électroniquement un acte de retrait du bref en vertu du paragraphe 4.05.1 (2).

21. La règle 61.06 du Règlement est modifiée par adjonction du paragraphe suivant :

(1.1) Si une ordonnance est rendue en vertu du paragraphe (1), les règles 56.04, 56.05, 56.07 et 56.08 s'appliquent avec les adaptations nécessaires.

22. (1) La version française du paragraphe 63.03 (4) du Règlement est modifiée par substitution de «de l'ordonnance» à «du bref».

(2) Le paragraphe 63.03 (5) du Règlement est modifié par insertion de «visée au paragraphe (4)» après «La réquisition d'un certificat de sursis».

(3) La règle 63.03 du Règlement est modifiée par adjonction des paragraphes suivants :

(5.1) S'il est sursis à une ordonnance du Tribunal du logement de l'Ontario aux termes du paragraphe 25 (1) de la *Loi sur l'exercice des compétences légales*, le greffier du tribunal qui est saisi d'un appel délivre, sur réquisition d'une partie à l'appel, un certificat de sursis (formule 63B). Après le dépôt du certificat auprès du shérif, celui-ci n'entreprend ni ne poursuit l'exécution forcée de l'ordonnance tant qu'il n'est pas convaincu que le sursis n'est plus en vigueur.

(5.2) La réquisition d'un certificat de sursis visée au paragraphe (5.1) précise qu'il n'y a aucune ordonnance du Tribunal du logement de l'Ontario qui empêcherait le sursis de plein droit de l'ordonnance portée en appel.

23. La règle 69.01 du Règlement est modifiée par adjonction du paragraphe suivant :

(2) Elles ne s'appliquent pas aux instances devant la Cour de la famille de la Cour supérieure de justice, qui sont régies par le Règlement de l'Ontario 114/99 (Règles en matière de droit de la famille), si ce n'est comme le prévoient ces règles.

24. La règle 69.21 du Règlement est abrogée.

25. La règle 70.01 du Règlement est modifiée par adjonction du paragraphe suivant :

(2) Elles ne s'appliquent pas aux instances devant la Cour de la famille de la Cour supérieure de justice, qui sont régies par le Règlement de l'Ontario 114/99 (Règles en matière de droit de la famille), si ce n'est comme le prévoient ces règles.

26. Les règles 70.07 et 70.10 et la Règle 71 du Règlement sont abrogées.

27. La règle 77.06 du Règlement est modifiée par adjonction du paragraphe suivant :

(4.1) Les paragraphes (3) et (4) ne s'appliquent pas si l'acte introductif d'instance est délivré électroniquement.

28. La règle 77.09 du Règlement est modifiée par adjonction du paragraphe suivant :

(4.1) Le paragraphe (4) ne s'applique pas si une défense est déposée électroniquement.

29. La formule 14E du Règlement est modifiée par substitution de «au moins deux jours avant l'audience» à «au plus tard à 14 heures le jour précédant l'audience» à la fin du quatrième paragraphe.

30. The Regulation is amended by adding the following form:

Form 63B

Courts of Justice Act

CERTIFICATE OF STAY

(General Heading)

(Court Seal)

CERTIFICATE OF STAY

The Registrar of the Divisional Court certifies that, under subsection 25 (1) of the *Statutory Powers Procedure Act*, the order of the Ontario Rental Housing Tribunal dated *(date)* has been stayed by an appeal to this court.

Date Issued by
Registrar

31. (1) Subject to subsections (2) and (3), this Regulation comes into force on July 1, 1999.

(2) Sections 1, 17, 23, 24, 25 and 26 come into force on September 15, 1999.

(3) Section 16 comes into force on January 1, 2000.

32. Despite subsection 31 (3), rule 53.09 of the Regulation, as it read on December 31, 1999, continues to apply with respect to actions in which the trial commences before January 1, 2000.

20/99

30. Le Règlement est modifié par adjonction de la formule suivante :

Formule 63B

Loi sur les tribunaux judiciaires

CERTIFICAT DE SURSIS

(titre)

(sceau de la cour)

CERTIFICAT DE SURSIS

Le greffier de la Cour divisionnaire certifie que, aux termes du paragraphe 25 (1) de la *Loi sur l'exercice des compétences légales*, il a été sursis à l'ordonnance du Tribunal du logement de l'Ontario datée du *(date)* par suite d'un appel dont a été saisi ce tribunal.

date : délivré par
greffier

31. (1) Sous réserve des paragraphes (2) et (3), le présent règlement entre en vigueur le 1^{er} juillet 1999.

(2) Les articles 1, 17, 23, 24, 25 et 26 entrent en vigueur le 15 septembre 1999.

(3) L'article 16 entre en vigueur le 1^{er} janvier 2000.

32. Malgré le paragraphe 31 (3), la règle 53.09 du Règlement, telle qu'elle existait le 31 décembre 1999, continue de s'appliquer aux actions pour lesquelles le procès commence avant le 1^{er} janvier 2000.

ONTARIO REGULATION 289/99

made under the
COURTS OF JUSTICE ACT

Made: April 14, 1999
Approved: April 29, 1999
Filed: April 30, 1999

Revoking O. Reg. 223/97
(Rules for the Toronto Region E-filing Project)

1. Ontario Regulations 223/97, 417/97, 103/98 and 630/98 are revoked.

2. This Regulation comes into force on July 1, 1999.

20/99

RÈGLEMENT DE L'ONTARIO 289/99
pris en application de la
LOI SUR LES TRIBUNAUX JUDICIAIRES

pris le 14 avril 1999
approuvé le 29 avril 1999
déposé le 30 avril 1999

abrogeant le Règl. de l'Ont. 223/97
(Règles du projet pilote de dépôt électronique
de la région de Toronto)

1. Les Règlements de l'Ontario 223/97, 417/97, 103/98 et 630/98 sont abrogés.

2. Le présent règlement entre en vigueur le 1^{er} juillet 1999.

ONTARIO REGULATION 290/99made under the
COURTS OF JUSTICE ACTMade: April 14, 1999
Approved: April 29, 1999
Filed: April 30, 1999Amending Reg. 194 of R.R.O. 1990
(Rules of Civil Procedure)

Note: Since the end of 1998, Regulation 194 has been amended by Ontario Regulation 288/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Subrule 75.06 (3) of Regulation 194 of the Revised Regulations of Ontario, 1990 is amended by adding the following clause:

(f.1) that a mediation session be conducted under Rule 75.1;

2. The Regulation is amended by adding the following Rule:

RULE 75.1 MANDATORY MEDIATION—ESTATES, TRUSTS AND SUBSTITUTE DECISIONS**PURPOSE**

75.1.01 This Rule establishes a pilot project for mandatory mediation, in the City of Toronto and The Regional Municipality of Ottawa-Carleton, in matters relating to estates, trusts and substitute decisions.

SCOPE

75.1.02 (1) This Rule applies to proceedings,

(a) that are commenced in the City of Toronto or The Regional Municipality of Ottawa-Carleton on or after September 1, 1999; and

(b) to which any of the following applies,

(i) rule 74.18 (application to pass accounts), if the application is contested,

(ii) rule 75.01 (formal proof of testamentary instrument), 75.03 (objection to issuing certificate of appointment), 75.05 (return of certificate) or 75.08 (claims against an estate),

(iii) Part V of the *Succession Law Reform Act*,

(iv) the *Substitute Decisions Act*, 1992,

(v) the *Absentees Act*, the *Charities Accounting Act*, the *Estates Act*, the *Trustee Act* or the *Variation of Trusts Act*,

(vi) subrule 14.05 (3), if the matters at issue relate to an estate or trust, or

(vii) subsection 5 (2) of the *Family Law Act*.

(2) The fact that an estate or trust is a party to a proceeding, by virtue of an order to continue under Rule 11 or otherwise, is not sufficient to bring the proceeding under this Rule.

DEFINITIONS

75.1.03 In this Rule,

“designated party” means a party whom an order under rule 75.1.05 requires to attend a mediation session in person; (“partie désignée”)

RÈGLEMENT DE L'ONTARIO 290/99pris en application de la
LOI SUR LES TRIBUNAUX JUDICIAIRESpris le 14 avril 1999
approuvé le 29 avril 1999
déposé le 30 avril 1999modifiant le Règl. 194 des R.R.O. de 1990
(Règles de procédure civile)

Remarque : Depuis la fin de 1998, le Règlement 194 a été modifié par le Règlement de l'Ontario 288/99. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1998.

1. Le paragraphe 75.06 (3) du Règlement 194 des Règlements refondus de l'Ontario de 1990 est modifié par adjonction de l'alinéa suivant :

f.1) ordonner qu'une séance de médiation soit menée aux termes de la Règle 75.1;

2. Le Règlement est modifié par adjonction de la Règle suivante :

RÈGLE 75.1 MÉDIATION OBLIGATOIRE — SUCCESSIONS, FIDUCIES ET DÉCISIONS PRISES AU NOM D'AUTRUI**OBJET**

75.1.01 La présente Règle met sur pied un projet pilote de médiation obligatoire dans la cité de Toronto et la municipalité régionale d'Ottawa-Carleton, pour les affaires ayant trait aux successions, aux fiducies et aux décisions prises au nom d'autrui.

CHAMP D'APPLICATION

75.1.02 (1) La présente Règle s'applique aux instances suivantes :

a) les instances introduites dans la cité de Toronto ou la municipalité régionale d'Ottawa-Carleton à compter du 1^{er} septembre 1999;

b) les instances auxquelles s'applique, selon le cas :

(i) la règle 74.18 (requête en approbation des comptes), si la requête est contestée,

(ii) la règle 75.01 (preuve formelle d'un instrument testamentaire), 75.03 (opposition à la délivrance d'un certificat de nomination), 75.05 (retour du certificat) ou 75.08 (réclamations présentées contre une succession),

(iii) la partie V de la *Loi portant réforme du droit des successions*,

(iv) la *Loi de 1992 sur la prise de décisions au nom d'autrui*,

(v) la *Loi sur les absents*, la *Loi sur la comptabilité des œuvres de bienfaisance*, la *Loi sur les successions*, la *Loi sur les fiduciaires* ou la *Loi sur la modification des successions*,

(vi) le paragraphe 14.05 (3), si les questions en litige portent sur une succession ou une fiducie,

(vii) le paragraphe 5 (2) de la *Loi sur le droit de la famille*.

(2) Le fait qu'une succession ou une fiducie soit partie à une instance, en vertu d'une ordonnance de continuation prévue à la Règle 11 ou d'autre façon, ne suffit pas pour que l'instance soit régie par la présente Règle.

DÉFINITIONS

75.1.03 Les définitions qui suivent s'appliquent à la présente règle.

«coordonnateur de la médiation» Relativement à un comté, s'entend de la personne désignée comme coordonnateur de la médiation pour le comté en vertu de la règle 24.1.06. («mediation co-ordinator»)

"list", when used in reference to a county, means the list maintained for the county under subrule 24.1.08 (1); ("liste")

"mediation co-ordinator", when used in reference to a county, means the person designated as mediation co-ordinator for the county under rule 24.1.06. ("coordonnateur de la médiation")

EXEMPTION FROM MEDIATION

75.1.04 The court may make an order, on a party's motion or of its own motion, exempting the proceeding from this Rule.

DIRECTIONS FOR CONDUCT OF MEDIATION

Motion for Directions

75.1.05 (1) In a proceeding described in subrule 75.1.02 (1), except a contested passing of accounts under rule 74.18, the applicant shall make a motion, in the same way as under rule 75.06, seeking directions for the conduct of the mediation.

(2) The notice of motion shall be served within 30 days after the last day for serving a notice of appearance.

(3) The motion may be combined with a motion under rule 75.06.

Directions

(4) On the hearing of the motion under this rule, the court may direct,

- (a) the issues to be mediated;
- (b) who has carriage of the mediation and who shall respond;
- (c) within what times the mediation session shall take place;
- (d) which parties are required to attend the mediation session in person, and how they are to be served;
- (e) whether notice is to be given to parties submitting their rights to the court under rule 75.07.1;
- (f) how the cost of the mediation is to be apportioned among the designated parties; and
- (g) any other matter that may be desirable to facilitate the mediation.

(5) In a contested passing of accounts the court shall, on the hearing date specified in the notice of application, deal with the matter as if subrule (4) applied.

Non-Compliance

(6) If there is non-compliance with a direction given under subrule (4) or (5), the matter shall be referred,

- (a) in the City of Toronto, to a judge; and
- (b) in The Regional Municipality of Ottawa-Carleton, to a case management master.

MEDIATORS

75.1.06 (1) A mediation under this Rule shall be conducted by,

- (a) a person chosen from the list for the county by the agreement of the designated parties;
- (b) a person assigned from the list by the mediation co-ordinator for the county, at the request of a designated party; or

«liste» Relativement à un comté, s'entend de la liste tenue pour le comté aux termes du paragraphe 24.1.08 (1). («liste»)

«partie désignée» Partie qui doit, aux termes d'une ordonnance rendue en vertu de la règle 75.1.05 se présenter en personne à une séance de médiation. («designated party»)

EXEMPTION DE LA MÉDIATION

75.1.04 Le tribunal peut rendre, sur motion d'une partie ou de sa propre initiative, une ordonnance qui soustrait l'instance à l'application de la présente Règle.

DIRECTIVES RELATIVES À LA CONDUITE DE LA MÉDIATION

Motion en vue d'obtenir des directives

75.1.05 (1) Dans le cadre d'une instance visée au paragraphe 75.1.02 (1), à l'exception d'une approbation des comptes contestée visée à la règle 74.18, le requérant présente, de la même façon qu'aux termes de la règle 75.06, une motion en vue d'obtenir des directives relatives à la conduite de la médiation.

(2) L'avis de motion est signifié dans les 30 jours qui suivent le dernier jour prévu pour la signification d'un avis de comparution.

(3) La motion peut être jointe à une motion visée à la règle 75.06.

Directives

(4) À l'audition de la motion présentée aux termes de la présente Règle, le tribunal peut, au moyen de directives :

- a) déterminer les questions qui doivent faire l'objet de la médiation;
- b) indiquer qui a l'initiative de la médiation et qui doit y répondre;
- c) fixer les date et heure de la séance de médiation;
- d) désigner les parties qui sont tenues de se présenter en personne à la séance de médiation et déterminer la façon dont les documents doivent leur être signifiés;
- e) établir si un avis doit être donné aux parties qui soumettent leurs droits au tribunal aux termes de la règle 75.07.1;
- f) déterminer le mode de répartition des frais de la médiation entre les parties désignées;
- g) traiter de toute autre question qui peut être utile pour faciliter la médiation.

(5) Dans une approbation des comptes contestée, le tribunal traite de la question, à la date d'audience précisée dans l'avis de requête, comme si le paragraphe (4) s'appliquait.

Défaut de se conformer

(6) En cas de défaut de se conformer à une directive donnée en vertu du paragraphe (4) ou (5), la question peut être renvoyée :

- a) à un juge, dans la cité de Toronto;
- b) à un protonotaire responsable de la gestion de la cause, dans la municipalité régionale d'Ottawa-Carleton.

MÉDIATEURS

75.1.06 (1) Une médiation prévue par la présente Règle est menée par l'une ou l'autre des personnes suivantes :

- a) une personne dont le nom figure sur la liste du comté, qui est choisie par accord des parties désignées;
- b) une personne dont le nom figure sur la liste, qui est désignée par le coordonnateur de la médiation pour le comté, à la demande d'une partie désignée;

(c) a person who is not named on the list, if the designated parties consent.

(2) Every person who conducts a mediation under subrule (1), whether named on the list or not, is required to comply with this Rule.

CHOICE OF MEDIATOR

75.1.07 (1) Within 30 days after an order giving directions is made under rule 75.1.05, the designated parties shall choose a mediator under subrule 75.1.06 (1).

(2) When a mediator has been chosen, the party with carriage of the mediation shall give the mediator a copy of the order giving directions.

(3) If the designated parties have not chosen a mediator by the end of the 30-day period, the party with carriage of the mediation shall immediately file with the mediation co-ordinator for the county a request for the assignment of a mediator (Form 75.1A).

(4) A copy of the order giving directions shall be attached to the request.

(5) On receiving the request, the mediation co-ordinator shall immediately assign a mediator from the list and give the mediator a copy of the order giving directions.

(6) If the party with carriage of the mediation fails to file a request, any designated party may file the request.

(7) The mediator shall, immediately on being chosen or assigned, fix a date for the mediation session and shall, at least 20 days before that date, serve on every designated party a notice (Form 75.1B) stating the place, date and time of the session and advising that attendance is obligatory.

PROCEDURE BEFORE MEDIATION SESSION

Statement of Issues

75.1.08 (1) At least seven days before the mediation session, every designated party shall prepare a statement in Form 75.1C and provide a copy to every other designated party and to the mediator.

(2) The statement shall identify the factual and legal issues in dispute and briefly set out the position and interests of the party making the statement.

(3) The party making the statement shall attach to it any documents that the party considers of central importance in the proceeding.

Non-Compliance

(4) If it is not practical to conduct a mediation session because a designated party fails to comply with subrule (1), the mediator shall cancel the session and immediately file with the court a certificate of non-compliance (Form 75.1D).

ATTENDANCE AT MEDIATION SESSION

Who is Required to Attend

75.1.09 (1) The designated parties, and their lawyers if the designated parties are represented, are required to attend the mediation session.

Authority to Settle

(2) A designated party who requires another person's approval before agreeing to a settlement shall, before the mediation session, arrange to have ready telephone access to the other person throughout the session, whether it takes place during or after regular business hours.

(c) une personne dont le nom ne figure pas sur la liste, si les parties désignées y consentent.

(2) Toute personne qui mène une médiation aux termes du paragraphe (1), que son nom figure sur la liste ou non, est tenue de se conformer à la présente Règle.

CHOIX DU MÉDIATEUR

75.1.07 (1) Au plus tard 30 jours après qu'une ordonnance donnant des directives est rendue en vertu de la règle 75.1.05, les parties désignées choisissent un médiateur aux termes du paragraphe 75.1.06 (1).

(2) Lorsqu'un médiateur a été choisi, la partie qui a l'initiative de la médiation donne au médiateur une copie de l'ordonnance donnant des directives.

(3) Si les parties désignées n'ont pas choisi de médiateur d'ici la fin du délai de 30 jours, la partie qui a l'initiative de la médiation dépose immédiatement auprès du coordonnateur de la médiation pour le comté une demande de désignation d'un médiateur (formule 75.1A).

(4) Une copie de l'ordonnance donnant des directives est jointe à la demande.

(5) Sur réception de la demande, le coordonnateur de la médiation désigne immédiatement un médiateur dont le nom figure sur la liste et donne au médiateur une copie de l'ordonnance donnant des directives.

(6) Si la partie qui a l'initiative de la médiation ne dépose pas de demande, toute partie désignée peut déposer la demande.

(7) Le médiateur, dès qu'il est choisi ou désigné, fixe une date pour la tenue de la séance de médiation et signifie à chaque partie désignée, au moins 20 jours avant cette date, un avis (formule 75.1B) indiquant les date, heure et lieu de la séance et informant la partie de l'obligation qu'elle a d'y assister.

PROCÉDURE AVANT LA SÉANCE DE MÉDIATION

Exposé des questions en litige

75.1.08 (1) Au moins sept jours avant la séance de médiation, chaque partie désignée prépare un exposé rédigé selon la formule 75.1C et en fournit une copie à chacune des autres parties désignées ainsi qu'au médiateur.

(2) L'exposé indique les questions de fait et de droit qui sont en litige et énonce brièvement la position et les intérêts de la partie qui présente l'exposé.

(3) La partie qui présente l'exposé y joint les documents qu'elle estime être d'une importance primordiale dans l'instance.

Défaut de se conformer

(4) S'il n'est pas utile de tenir une séance de médiation parce qu'une partie désignée ne se conforme pas au paragraphe (1), le médiateur annule la séance et dépose immédiatement un certificat de défaut de se conformer (formule 75.1D) auprès du tribunal.

PRÉSENCE À LA SÉANCE DE MÉDIATION

Présence requise

75.1.09 (1) Les parties désignées, et leurs avocats si elles sont représentées, sont tenus d'être présents à la séance de médiation.

Pouvoir de transiger

(2) Avant la séance de médiation, une partie désignée qui doit obtenir l'approbation d'une autre personne avant de consentir à une transaction fait en sorte qu'elle puisse joindre par téléphone cette autre personne en tout temps pendant la séance, que celle-ci se tienne pendant ou après les heures de bureau.

Failure to Attend

(3) If it is not practical to conduct a scheduled mediation session because a designated party fails to attend within the first 30 minutes of the time appointed for the commencement of the session, the mediator shall cancel the session and immediately file with the court a certificate of non-compliance (Form 75.1D).

REMEDY FOR NON-COMPLIANCE

75.1.10 (1) When a certificate of non-compliance is filed, the party with carriage of the mediation shall, within 15 days after the date fixed for the mediation session that was cancelled, bring a motion for further directions before,

- (a) the judge who made the order under rule 75.1.05;
- (b) any other judge who is available; or
- (c) in The Regional Municipality of Ottawa-Carleton, a case management master.

(2) The judge or case management master may require the designated parties to appear before him or her and may,

- (a) establish a timetable for the proceeding;
- (b) strike out any document filed by a designated party;
- (c) order a designated party to pay costs; or
- (d) make any other order that is just.

CONFIDENTIALITY

75.1.11 All communications at a mediation session and the mediator's notes and records shall be deemed to be without prejudice settlement discussions.

OUTCOME OF MEDIATION**Mediator's Report**

75.1.12 (1) Within 10 days after the mediation is concluded, the mediator shall give the mediation co-ordinator for the county and the designated parties a report on the mediation.

(2) The mediation co-ordinator may remove from the list the name of a mediator who does not comply with subrule (1).

Agreement

(3) If there is an agreement resolving some or all of the issues in dispute, it shall be signed by the designated parties or their lawyers.

(4) If the agreement resolves all the issues in dispute, the party with carriage of the mediation shall file a notice to that effect with the court,

- (a) in the case of an unconditional agreement, within 10 days after the agreement is signed;
- (b) in the case of a conditional agreement, within 10 days after the condition is satisfied.

(5) Despite subrule (4), if rule 7.08 (person under disability, approval of settlement) also applies to the agreement, the notice shall be filed within 10 days after the event mentioned in clause (4) (a) or (b), or within 10 days after the agreement is approved, whichever is later.

Failure to Comply with Signed Agreement

(6) If a party to a signed agreement fails to comply with its terms, any other party to the agreement may,

Défaut de se présenter

(3) S'il n'est pas utile de tenir une séance de médiation prévue parce qu'une partie désignée ne se présente pas au cours des 30 premières minutes de l'heure fixée pour le début de la séance, le médiateur annule la séance et dépose immédiatement un certificat de défaut de se conformer (formule 75.1D) auprès du tribunal.

RECOURS EN CAS DE DÉFAUT DE SE CONFORMER

75.1.10 (1) Lorsqu'un certificat de défaut de se conformer est déposé, la partie qui a l'initiative de la médiation présente une motion pour obtenir d'autres directives, au plus tard 15 jours après la date fixée pour la tenue de la séance de médiation qui a été annulée, à l'une ou l'autre des personnes suivantes :

- a) le juge qui a rendu l'ordonnance en vertu de la règle 75.1.05;
- b) tout autre juge qui est disponible;
- c) dans la municipalité régionale d'Ottawa-Carleton, un protonotaire responsable de la gestion de la cause.

(2) Le juge ou le protonotaire responsable de la gestion de la cause peut exiger que les parties désignées comparaissent devant lui et peut :

- a) établir un calendrier pour le déroulement de l'instance;
- b) radier tout document déposé par une partie désignée;
- c) ordonner à une partie désignée d'acquitter les dépens;
- d) rendre toute autre ordonnance juste.

CONFIDENTIALITÉ

75.1.11 Les communications qui ont lieu au cours d'une séance de médiation ainsi que les notes et dossiers du médiateur sont réputés des discussions en vue d'une transaction, sous réserve des droits de l'offrant.

RÉSULTAT DE LA MÉDIATION**Rapport du médiateur**

75.1.12 (1) Dans les 10 jours qui suivent la conclusion de la médiation, le médiateur présente au coordonnateur de la médiation pour le comté ainsi qu'aux parties désignées un rapport sur la médiation.

(2) Le coordonnateur de la médiation peut rayer de la liste le nom d'un médiateur qui ne se conforme pas au paragraphe (1).

Accord

(3) Si un accord réglant tout ou partie des questions en litige est conclu, il est signé par les parties désignées ou leurs avocats.

(4) Si l'accord règle toutes les questions en litige, la partie qui a l'initiative de la médiation dépose auprès du tribunal un avis à cet effet :

- a) dans le cas d'un accord inconditionnel, au plus tard 10 jours après la signature de l'accord;
- b) dans le cas d'un accord conditionnel, au plus tard 10 jours après que les conditions sont remplies.

(5) Malgré le paragraphe (4), si la règle 7.08 (incapable, homologation d'une transaction) s'applique également à l'accord, l'avis doit être déposé au plus tard 10 jours après l'événement mentionné à l'alinéa (4) a) ou b), ou au plus tard 10 jours après l'approbation de l'accord, si celle-ci survient ultérieurement.

Inobservation de l'accord signé

(6) Si une partie à un accord signé n'en observe pas les stipulations, toute autre partie à celui-ci peut :

- (a) make a motion to a judge for judgment in the terms of the agreement, and the judge may grant judgment accordingly; or
- (b) continue the proceeding as if there had been no agreement.

No Agreement

(7) If no agreement is reached that resolves all the issues in dispute, the matter shall proceed in accordance with any directions given under rule 75.06, or a motion for directions shall be made as soon as possible under that rule.

CONSENT ORDER FOR ADDITIONAL MEDIATION SESSION

75.1.13 (1) With the consent of the designated parties the court may, at any stage in the proceeding, make an order requiring them to participate in an additional mediation session.

- (2) The court may include any necessary directions in the order.

(3) Rules 75.1.07 to 75.1.12 apply in respect of the additional session, with necessary modifications.

REVOCATION

75.1.14 This Rule is revoked on July 4, 2001.

3. (1) Form 75.8 of the Regulation is amended by adding the following paragraph:

2.1 THIS COURT ORDERS that (insert directions relating to mandatory mediation under Rule 75.1).

(2) Paragraph 2.1 of Form 75.8 of the Regulation is revoked on July 4, 2001.

4. (1) Form 75.9 of the Regulation is amended by adding the following paragraph:

2.1 THIS COURT ORDERS that (insert directions relating to mandatory mediation under Rule 75.1).

(2) Paragraph 2.1 of Form 75.9 of the Regulation is revoked on July 4, 2001.

5. (1) The Regulation is amended by adding the following Forms:

Form 75.1A

Courts of Justice Act

REQUEST FOR ASSIGNMENT OF MEDIATOR

ONTARIO (Court file no.)

SUPERIOR COURT OF JUSTICE

IN THE ESTATE OF deceased,
late of ,
occupation ,
who died on .

- a) soit demander à un juge, par voie de motion, de rendre jugement suivant les stipulations de l'accord, et le juge peut rendre un jugement en conséquence;
- b) soit continuer l'instance comme s'il n'y avait jamais eu d'accord.

Absence d'accord

(7) S'il n'est conclu aucun accord réglant toutes les questions en litige, l'affaire se poursuit conformément à toutes directives données en vertu de la règle 75.06, ou une motion en vue d'obtenir des directives est présentée dès que possible en vertu de cette règle.

ORDONNANCE SUR CONSENTEMENT EN VUE D'UNE SÉANCE DE MÉDIATION SUPPLÉMENTAIRE

75.1.13 (1) Avec le consentement des parties désignées, le tribunal peut, à toute étape de l'instance, rendre une ordonnance exigeant qu'elles participent à une séance de médiation supplémentaire.

- (2) Le tribunal peut assortir l'ordonnance de toute directive nécessaire.

(3) Les règles 75.1.07 à 75.1.12 s'appliquent à la séance supplémentaire, avec les adaptations nécessaires.

ABROGATION

75.1.14 La présente Règle est abrogée le 4 juillet 2001.

3. (1) La formule 75.8 du Règlement est modifiée par adjonction du paragraphe suivant :

2.1 LE TRIBUNAL ORDONNE que (insérer les directives relatives à la médiation obligatoire prévue par la Règle 75.1).

(2) Le paragraphe 2.1 de la formule 75.8 du Règlement est abrogé le 4 juillet 2001.

4. (1) La formule 75.9 du Règlement est modifiée par adjonction du paragraphe suivant :

2.1 LE TRIBUNAL ORDONNE que (insérer les directives relatives à la médiation obligatoire prévue par la Règle 75.1).

(2) Le paragraphe 2.1 de la formule 75.9 du Règlement est abrogé le 4 juillet 2001.

5. (1) Le Règlement est modifié par adjonction des formules suivantes :

Formule 75.1A

Loi sur les tribunaux judiciaires

DEMANDE DE DÉSIGNATION D'UN MÉDIATEUR

ONTARIO (n° de dossier de la Cour)

COUR SUPÉRIEURE DE JUSTICE

SUCCESSION DE FEU ,
autrefois domicilié(e) à ,
de profession ,
qui est décédé(e) le .

REQUEST FOR ASSIGNMENT OF MEDIATOR

DEMANDE DE DÉSIGNATION D'UN MÉDIATEUR

TO: Mediation co-ordinator for (county)

An order giving directions was made under rule 75.1.05 on (date of order). A copy of the order is attached to this request.

The designated parties have not chosen a mediator under subrule 75.1.06 (1). The 30-day period mentioned in subrule 75.1.07 (1) has expired.

This is a request that you assign a mediator from the list for the county.

(Date) (Name, address, telephone number and fax number, if any, of lawyer of party filing request, or of party)

DESTINATAIRE : Le coordonnateur de la médiation pour (comté)

Une ordonnance donnant des directives a été rendue en vertu de la règle 75.1.05 le (date de l'ordonnance). Une copie de l'ordonnance est jointe à la présente demande.

Les parties désignées n'ont pas choisi de médiateur aux termes du paragraphe 75.1.06 (1). Le délai de 30 jours mentionné au paragraphe 75.1.07 (1) a expiré.

Veuillez, par la présente, désigner un médiateur dont le nom figure sur la liste du comté.

(date) (nom, adresse, numéro de téléphone et numéro de télécopieur, le cas échéant, de l'avocat de la partie qui dépose la demande, ou de celle-ci)

Form 75.1B

Courts of Justice Act

NOTICE BY MEDIATOR

ONTARIO (Court file no.)

SUPERIOR COURT OF JUSTICE

IN THE ESTATE OF deceased,
late of ,
occupation ,
who died on .

NOTICE BY MEDIATOR

TO:

AND TO:

I am the mediator whom the mediation co-ordinator has appointed to conduct the mediation session under Rule 75.1. (Delete this paragraph if mediator was chosen by designated parties under clause 75.1.06 (1) (a) or (c).)

The mediation session will take place on (date), from (time) to (time), at (place).

You are required to attend this mediation session. If you have a lawyer representing you in this proceeding, he or she is also required to attend.

You are required to file a statement of issues (Form 75.1C) by (date) (seven days before the mediation session). A blank copy of the form is attached.

When you attend the mediation session, you should bring with you any documents that you consider of central importance in the proceeding. You should plan to remain throughout the scheduled time. If you need another person's approval before agreeing to a settlement, you should make arrangements before the mediation session to ensure that you have ready telephone access to that person throughout the session, even outside regular business hours.

Formule 75.1B

Loi sur les tribunaux judiciaires

AVIS DU MÉDIATEUR

ONTARIO (n° de dossier de la Cour)

COUR SUPÉRIEURE DE JUSTICE

SUCCESSION DE FEU
autrefois domicilié(e) à
de profession
qui est décédé(e) le

AVIS DU MÉDIATEUR

DESTINATAIRE :

ET DESTINATAIRE :

Je suis le médiateur ou la médiatrice que le coordonnateur de la médiation a nommé(e) pour tenir la séance de médiation exigée par la Règle 75.1. (Biffez ce paragraphe si le médiateur a été choisi par les parties désignées aux termes de l'alinéa 75.1.06 (1) a) ou c).)

La séance de médiation se tiendra le (date), de (heure) à (heure), à/au (lieu).

Vous êtes tenu(e) d'assister à cette séance de médiation. Si vous avez un avocat pour vous représenter dans l'instance, celui-ci est également tenu d'y assister.

Vous êtes tenu(e) de déposer un exposé des questions en litige (formule 75.1C) au plus tard le (date) (soit sept jours avant la séance de médiation). Un exemplaire en blanc de la formule est annexé.

Lorsque vous vous présenterez à la séance de médiation, vous devrez être muni(e) de tous les documents que vous estimez être d'une importance primordiale dans l'instance. Vous devrez projeter de rester pendant toute la durée prévue de la séance. S'il vous faut l'approbation d'une autre personne avant de consentir à une transaction, veuillez prendre les dispositions nécessaires avant la séance de médiation pour vous assurer que vous pourrez joindre par téléphone cette personne en tout temps pendant la séance, même en dehors des heures de bureau.

YOU MAY BE PENALIZED UNDER RULE 75.1.10 IF YOU FAIL TO FILE A STATEMENT OF ISSUES OR FAIL TO ATTEND THE MEDIATION SESSION.

VOUS RISQUEZ D'ÊTRE PÉNALISÉ(E) AUX TERMES DE LA RÈGLE 75.1.10 SI VOUS NE DÉPOSEZ PAS UN EXPOSÉ DES QUESTIONS EN LITIGE OU SI VOUS NE VOUS PRÉSENTEZ PAS À LA SÉANCE DE MÉDIATION.

(Date) (Name, address, telephone number and fax number, if any, of mediator)

(date) (nom, adresse, numéro de téléphone et numéro de télécopieur, le cas échéant, du médiateur)

Form 75.1C

Courts of Justice Act

STATEMENT OF ISSUES

Formule 75.1C

Loi sur les tribunaux judiciaires

EXPOSÉ DES QUESTIONS EN LITIGE

ONTARIO (Court file no.)

ONTARIO (n° de dossier de la Cour)

SUPERIOR COURT OF JUSTICE

COUR SUPÉRIEURE DE JUSTICE

IN THE ESTATE OF deceased, SUCCESSION DE FEU ,

late of , autrefois domicilié(e) à ,

occupation , de profession ,

who died on . qui est décédé(e) le .

STATEMENT OF ISSUES

EXPOSÉ DES QUESTIONS EN LITIGE

(To be provided to mediator and designated parties at least seven days before the mediation session)

(À fournir au médiateur et aux parties désignées au moins sept jours avant la séance de médiation.)

1. Factual and legal issues in dispute

The undersigned designated party states that the following factual and legal issues are in dispute and remain to be resolved.

(Issues should be stated briefly and numbered consecutively.)

1. Questions de fait et de droit qui sont en litige

La partie désignée soussignée déclare que les questions de fait et de droit suivantes sont en litige et ne sont pas encore réglées.

(Les questions doivent être exposées brièvement et numérotées consécutivement.)

2. Party's position and interests (what the party hopes to achieve)

(Brief summary.)

2. Position et intérêts de la partie (ce que la partie espère réaliser)

(Résumé succinct.)

3. Attached documents

Attached to this form are the following documents that the designated party considers of central importance in the proceeding: (list)

(date) (party's signature)

(Name, address, telephone number and fax number, if any, of lawyer of party filing statement of issues, or of party)

3. Documents annexés

Sont annexés à la présente formule les documents suivants que la partie désignée estime être d'une importance primordiale dans l'instance : (énumérer les documents)

(date) (signature de la partie)

(nom, adresse, numéro de téléphone et numéro de télécopieur, le cas échéant, de l'avocat de la partie qui dépose l'exposé des questions en litige, ou de celle-ci)

NOTE: Rule 75.1.11 provides as follows:

All communications at a mediation session and the mediator's notes and records shall be deemed to be without prejudice settlement discussions.

REMARQUE : La règle 75.1.11 prévoit ce qui suit :

Les communications qui ont lieu au cours d'une séance de médiation ainsi que les notes et dossiers du médiateur sont réputés des discussions en vue d'une transaction, sous réserve des droits de l'offrant.

Form 75.1D

Formule 75.1D

Courts of Justice Act

Loi sur les tribunaux judiciaires

CERTIFICATE OF NON-COMPLIANCE

CERTIFICAT DE DÉFAUT DE SE CONFORMER

ONTARIO (Court file no.)

ONTARIO (n° de dossier de la Cour)

SUPERIOR COURT OF JUSTICE

COUR SUPÉRIEURE DE JUSTICE

IN THE ESTATE OF

deceased,

SUCCESSION DE FEU

late of

autrefois domicilié(e) à

occupation

de profession

who died on

qui est décédé(e) le

CERTIFICATE OF NON-COMPLIANCE

CERTIFICAT DE DÉFAUT DE SE CONFORMER

TO: (court)

DESTINATAIRE : (tribunal)

I, (name), mediator, certify that this certificate of non-compliance is filed because:

Je soussigné(e), (nom), médiateur(trice), certifie que le présent certificat de défaut de se conformer est déposé pour la raison suivante :

() (Identify party(ies)) failed to provide a copy of a statement of issues to the mediator and the other parties (or to the mediator or to party(ies)).

() (Préciser la/les partie(s)) n'a/n'ont pas fourni de copie de l'exposé des questions en litige au médiateur et aux autres parties (ou au médiateur ou à la/aux partie(s)).

() (Identify party(ies)) failed to attend within the first 30 minutes of a scheduled mediation session.

() (Préciser la/les partie(s)) ne s'est pas présenté(e)/ne se sont pas présentés(ées) au cours des 30 premières minutes d'une séance de médiation prévue.

(date) (Name, address, telephone number and fax number, if any, of mediator)

(date) (nom, adresse, numéro de téléphone et numéro de télécopieur, le cas échéant, du médiateur)

(2) Forms 75.1A, 75.1B, 75.1C and 75.1D of the Regulation are revoked on July 4, 2001.

(2) Les formules 75.1A, 75.1B, 75.1C et 75.1D du Règlement sont abrogées le 4 juillet 2001.

6. (1) Item 1.1 of Part I of Tariff A to the Regulation is amended by adding "or Rule 75.1" after "under Rule 24.1".

6. (1) Le poste 1.1 de la première partie du tarif A du Règlement est modifié par insertion de «ou la Règle 75.1» après «par la Règle 24.1».

(2) Item 23.1 of Part II of Tariff A to the Regulation is amended by adding "or (identify regulation)" before "made under the Administration of Justice Act".

(2) Le poste 23.1 de la deuxième partie du tarif A du Règlement est modifié par insertion de «(préciser le règlement)» avant «pris en application de la Loi sur l'administration de la justice».

7. This Regulation comes into force on September 1, 1999.

7. Le présent règlement entre en vigueur le 1^{er} septembre 1999.

ONTARIO REGULATION 291/99
made under the
ADMINISTRATION OF JUSTICE ACT

Made: April 29, 1999
Filed: April 30, 1999

**MEDIATORS' FEES (RULE 75.1,
RULES OF CIVIL PROCEDURE)**

1. In this Regulation,

“mandatory mediation session” means the mediation session required by Rule 75.1 of the Rules of Civil Procedure.

2. For the purposes of this Regulation, the number of parties is determined according to the following rules:

1. An estate trustee whom an order under rule 75.1.05 requires to attend a mediation session in person shall be counted as a party only if the court makes an order to that effect.

2. If the court makes an order under paragraph 1 with respect to two or more estate trustees, they shall be counted as one party, unless the court orders otherwise.

3. If an order under rule 75.1.05 requires the Children's Lawyer to attend a mediation session in person, he or she shall be counted as a party, unless the court orders otherwise.

4. If an order under rule 75.1.05 requires the Public Guardian and Trustee to attend a mediation session in person, he or she shall be counted as one party, irrespective of the number of persons represented, unless the court orders otherwise.

5. Paragraph 4 does not apply if the Public Guardian and Trustee is required to attend in the capacity of estate trustee.

3. (1) When a mandatory mediation session is conducted under Rule 75.1 of the Rules of Civil Procedure by a mediator named in a list described in subrule 24.1.08 (1) of those Rules, fees shall be paid in accordance with this Regulation.

(2) The mediator's fees for the mandatory mediation session cover the following services:

1. One-half hour of preparation time for each party.

2. Up to three hours of actual mediation.

4. (1) The mediator's fees for the mandatory mediation session shall not exceed the amount shown in the following Table.

TABLE

Number of Parties	Maximum Fees
2	\$600 plus GST
3	\$675 plus GST
4	\$750 plus GST
5 or more	\$825 plus GST

(2) Each party is required to pay an equal share of the mediator's fees for the mandatory mediation session, unless the court orders otherwise.

RÈGLEMENT DE L'ONTARIO 291/99
pris en application de la
LOI SUR L'ADMINISTRATION DE LA JUSTICE

pris le 29 avril 1999
déposé le 30 avril 1999

**HONORAIRES DES MÉDIATEURS (RÈGLE 75.1,
RÈGLES DE PROCÉDURE CIVILE)**

1. La définition qui suit s'applique au présent règlement.

«séance de médiation obligatoire» La séance de médiation exigée par la Règle 75.1 des Règles de procédure civile.

2. Pour l'application du présent règlement, le nombre des parties est déterminé selon les règles suivantes :

1. Le fiduciaire d'une succession qu'une ordonnance rendue en vertu de la règle 75.1.05 oblige à se présenter en personne à une séance de médiation n'est considéré comme partie que si le tribunal rend une ordonnance en ce sens.

2. Si le tribunal rend une ordonnance visée à la disposition 1 à l'égard de deux ou plusieurs fiduciaires de la succession, ils sont considérés comme une seule partie, sauf ordonnance contraire du tribunal.

3. Si une ordonnance rendue en vertu de la règle 75.1.05 exige de l'avocat des enfants qu'il se présente en personne à une séance de médiation, il est considéré comme partie, sauf ordonnance contraire du tribunal.

4. Si une ordonnance rendue en vertu de la règle 75.1.05 exige du Tuteur et curateur public qu'il se présente en personne à une séance de médiation, il est considéré comme une seule partie, indépendamment du nombre de personnes représentées, sauf ordonnance contraire du tribunal.

5. La disposition 4 ne s'applique pas si le Tuteur et curateur public est tenu de se présenter en qualité de fiduciaire de la succession.

3. (1) Lorsqu'une séance de médiation obligatoire est menée aux termes de la Règl 75.1 des Règles de procédure civile par un médiateur dont le nom figure sur une liste visée au paragraphe 24.1.08 (1) de ces règles, les honoraires sont payés conformément au présent règlement.

(2) Les honoraires du médiateur pour la séance de médiation obligatoire visent les services suivants :

1. Une demi-heure de préparation par partie.

2. Un maximum de trois heures de médiation effective.

4. (1) Les honoraires du médiateur pour la séance de médiation obligatoire ne doivent pas dépasser le montant indiqué dans le tableau suivant.

TABLEAU

Nombre de parties	Honoraires maximaux
2	600 \$ plus la T.P.S
3	675 \$ plus la T.P.S
4	750 \$ plus la T.P.S
5 ou plus	825 \$ plus la T.P.S

(2) Chaque partie est tenue de payer une part égale des honoraires du médiateur pour la séance de médiation obligatoire, sauf ordonnance contraire du tribunal.

(3) After the first three hours of actual mediation, the mediation may be continued if the parties and the mediator agree to do so and agree on the mediator's fees or hourly rate for the additional time.

5. (1) If the mediator cancels a session under subrule 75.1.08 (4) of the Rules of Civil Procedure because a party fails to comply with subrule 75.1.08 (1), that party shall pay any cancellation fees.

(2) If the mediator cancels a session under subrule 75.1.09 (3) of the Rules of Civil Procedure because a party fails to attend within the first 30 minutes of the session, the party who fails to attend shall pay any cancellation fees.

(3) Two or more parties who fail to comply or to attend, as the case may be, shall pay the cancellation fees in equal shares.

(4) The cancellation fees shall not exceed the applicable amount shown in the Table to subsection 4 (1).

6. A party's failure to pay a share referred to in subsection 4 (2) or 5 (3) does not increase the share or shares of the other party or parties.

7. Sections 1 to 6 are revoked on July 4, 2001.

8. This Regulation comes into force on September 1, 1999.

(3) Après la première tranche de trois heures de médiation effective, la médiation peut se poursuivre si les parties et le médiateur s'entendent pour ce faire et conviennent des honoraires ou du tarif horaire du médiateur pour les heures additionnelles.

5. (1) Si le médiateur annule une séance aux termes du paragraphe 75.1.08 (4) des Règles de procédure civile parce qu'une partie ne se conforme pas au paragraphe 75.1.08 (1), cette partie paie les honoraires d'annulation.

(2) Si le médiateur annule une séance aux termes du paragraphe 75.1.09 (3) des Règles de procédure civile parce qu'une partie ne se présente pas au cours des 30 premières minutes de la séance, la partie qui ne se présente pas paie les honoraires d'annulation.

(3) Deux parties ou plus qui ne se conforment pas ou ne se présentent pas, selon le cas, paient les honoraires d'annulation en parts égales.

(4) Les honoraires d'annulation ne doivent pas dépasser le montant applicable indiqué dans le tableau du paragraphe 4 (1).

6. Le défaut d'une partie de payer la part visée au paragraphe 4 (2) ou 5 (3) n'a pas pour effet d'augmenter la part de l'autre partie ou celles des autres parties.

7. Les articles 1 à 6 sont abrogés le 4 juillet 2001.

8. Le présent règlement entre en vigueur le 1^{er} septembre 1999.

20/99

ONTARIO REGULATION 292/99
made under the
COURTS OF JUSTICE ACT

Made: April 14, 1999
Approved: April 29, 1999
Filed: April 30, 1999

Amending Reg. 194 of R.R.O. 1990
(Rules of Civil Procedure)

Note: Since the end of 1998, Regulation 194 has been amended by Ontario Regulations 288/99 and 290/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. (1) Regulation 194 of the Revised Regulations of Ontario, 1990 is amended by striking out "Ontario Court (General Division)" and substituting "Superior Court of Justice" in the heading to subrule 1.02 (1).

(2) The Regulation is amended by striking out "Ontario Court (General Division)" wherever those words occur in the following provisions and substituting in each case "Superior Court of Justice":

Subrule 1.02 (1).
Definitions of "court" and "registrar" in rule 1.03.
Subrule 1.07 (2).
Subrule 4.05 (1.2).
Subrule 14.05 (2).
Subrules 43.05 (6) and (7).
Subrules 60.07 (1.3) and (1.4).
Subrule 68.01 (1).
Subrule 68.02 (2).
Subrule 70.09 (1).
Subrule 70.10 (1).
Subrule 71.02 (1).
Clauses 74.12 (1) (c) and (d).
Form 61B.
Form 74.28.

RÈGLEMENT DE L'ONTARIO 292/99
pris en application de la
LOI SUR LES TRIBUNAUX JUDICIAIRES

pris le 14 avril 1999
approuvé le 29 avril 1999
déposé le 30 avril 1999

modifiant le Règl. 194 des R.R.O. de 1990
(Règles de procédure civile)

Remarque : Le Règlement 194 a été modifié par les Règlements de l'Ontario 288/99 et 290/99. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1998.

1. (1) Le Règlement 194 des Règlements refondus de l'Ontario de 1990 est modifié par substitution de «Cour supérieure de justice» à «Cour de l'Ontario (Division générale)» dans le titre du paragraphe 1.02 (1).

(2) Le Règlement est modifié par substitution de «Cour supérieure de justice» à «Cour de l'Ontario (Division générale)» partout où figure cette expression dans les dispositions suivantes :

Le paragraphe 1.02 (1).
Les définitions de «greffier» et de «tribunal» à la règle 1.03.
Le paragraphe 1.07 (2).
Le paragraphe 4.05 (1.2).
Le paragraphe 14.05 (2).
Les paragraphes 43.05 (6) et (7).
Les paragraphes 60.07 (1.3) et (1.4).
Le paragraphe 68.01 (1).
Le paragraphe 68.02 (2).
Le paragraphe 70.09 (1).
Le paragraphe 70.10 (1).
Le paragraphe 71.02 (1).
Les alinéas 74.12 (1) (c) et (d).
La formule 61B.
La formule 74.28.

(3) The Regulation is amended by striking out "Ontario Court (General Division)" at the top of the Forms and Schedule listed in subsection (4) and substituting the following:

ONTARIO

SUPERIOR COURT OF JUSTICE

(4) Subsection (3) applies to the following Forms and Schedule:

Forms 4A and 4B.

Form 29A.

Form 60A.

Forms 64N, 64O, 64P and 64Q.

Form 69B.1.

Form 70A.

Forms 74.1, 74.2, 74.3, 74.4, 74.5, 74.6, 74.7, 74.8, 74.9, 74.10, 74.11, 74.12, 74.13, 74.14, 74.15, 74.16, 74.17, 74.18, 74.19, 74.20, 74.20.1, 74.20.2, 74.20.3, 74.21, 74.22, 74.23, 74.24, 74.25, 74.26, 74.27, 74.29, 74.30, 74.31, 74.32, 74.33, 74.34, 74.35, 74.38 (Schedule "A"), 74.43, 74.44, 74.45, 74.46, 74.46.1, 74.47, 74.48, 74.49, 74.49.1, 74.49.2 and 74.49.3.

Forms 75.1, 75.2, 75.3, 75.4, 75.5, 75.6, 75.7, 75.10, 75.11, 75.12, 75.13 and 75.14.

(5) Form 70A of the Regulation is amended by striking out "APPEALS to the Ontario Court (General Division)" at the beginning of the first paragraph and substituting "APPEALS to the Superior Court of Justice".

2. (1) The Regulation is amended by striking out "General Division" and substituting "Superior Court of Justice" in the headings to the following provisions:

Subrule 1.07 (2).

Subrule 68.02 (2).

(2) The Regulation is amended by striking out "General Division" and substituting "Superior Court of Justice" in the following provisions:

Subrule 57.05 (2).

Subrule 62.02 (1.1).

(3) The Regulation is amended by striking out "General Division" in the English version of subrule 37.15 (1) and substituting "Superior Court of Justice".

3. The Regulation is amended by striking out "Chief Justice of the Ontario Court" and substituting "Chief Justice of the Superior Court of Justice" in the following provisions:

Subrule 1.07 (2).

Subrule 24.1.07 (3).

Rule 77.16.

4. The Regulation is amended by striking out "Chief Justice or Associate Chief Justice of the Ontario Court" and substituting "Chief Justice or Associate Chief Justice of the Superior Court of Justice" in the following provisions:

Subrule 13.03 (1).

Subrule 37.15 (1).

5. The Regulation is amended by striking out "Accountant of the Ontario Court" and substituting "Accountant of the Superior Court of Justice" in the following provisions:

Subrule 55.05 (1).

Definition of "accountant" in rule 72.01.

Form 55E.

Forms 64D and 64F.

6. The Regulation is amended by striking out "Accountant of the Ontario Court (General Division)" wherever those words occur in

(3) Le Règlement est modifié par substitution de ce qui suit à «Cour de l'Ontario (Division générale)» au haut des formules et de l'annexe mentionnées au paragraphe (4) :

ONTARIO

COUR SUPÉRIEURE DE JUSTICE

(4) Le paragraphe (3) s'applique aux formules et à l'annexe suivantes :

Les formules 4A et 4B.

La formule 29A.

La formule 60A.

Les formules 64N, 64O, 64P et 64Q.

La formule 69B.1.

La formule 70A.

Les formules 74.1, 74.2, 74.3, 74.4, 74.5, 74.6, 74.7, 74.8, 74.9, 74.10, 74.11, 74.12, 74.13, 74.14, 74.15, 74.16, 74.17, 74.18, 74.19, 74.20, 74.20.1, 74.20.2, 74.20.3, 74.21, 74.22, 74.23, 74.24, 74.25, 74.26, 74.27, 74.29, 74.30, 74.31, 74.32, 74.33, 74.34, 74.35, 74.38 (annex «A»), 74.43, 74.44, 74.45, 74.46, 74.46.1, 74.47, 74.48, 74.49, 74.49.1, 74.49.2 et 74.49.3.

Les formules 75.1, 75.2, 75.3, 75.4, 75.5, 75.6, 75.7, 75.10, 75.11, 75.12, 75.13 et 75.14.

(5) La formule 70A du Règlement est modifiée par substitution de «INTERJETTE APPEL à la Cour supérieure de justice» à «INTERJETTE APPEL à la Cour de l'Ontario» au début du premier paragraphe.

2. (1) Le Règlement est modifié par substitution de «Cour supérieure de justice» à «Division générale» dans le titre des dispositions suivantes :

Le paragraphe 1.07 (2).

Le paragraphe 68.02 (2).

(2) Le Règlement est modifié par substitution de «Cour supérieure de justice» à «Division générale» aux dispositions suivantes :

Le paragraphe 57.05 (2).

Le paragraphe 62.02 (1.1).

(3) Le Règlement est modifié par substitution de «Superior Court of Justice» à «General Division» dans la version anglaise du paragraphe 37.15 (1).

3. Le Règlement est modifié par substitution de «juge en chef de la Cour supérieure de justice» à «juge en chef de la Cour de l'Ontario» aux dispositions suivantes :

Le paragraphe 1.07 (2).

Le paragraphe 24.1.07 (3).

La règle 77.16.

4. Le Règlement est modifié par substitution de «le juge en chef ou le juge en chef adjoint de la Cour supérieure de justice» à «le juge en chef ou le juge en chef adjoint de la Cour de l'Ontario» aux dispositions suivantes :

Le paragraphe 13.03 (1).

Le paragraphe 37.15 (1).

5. Le Règlement est modifié par substitution de «Comptable de la Cour supérieure de justice» à «Comptable de la Cour de l'Ontario» ou «comptable de la Cour de l'Ontario» aux dispositions suivantes :

Le paragraphe 55.05 (1).

La définition de «comptable» à la règle 72.01.

La formule 55E.

Les formules 64D et 64F.

6. Le Règlement est modifié par substitution de «Comptable de la Cour supérieure de justice» à «Comptable de la Cour de l'Ontario»

the following provisions and substituting in each case "Accountant of the Superior Court of Justice":

Forms 74.32 and 74.33.

7. (1) The Regulation is amended by striking out "Ontario Court (Provincial Division)" and substituting "Ontario Court of Justice" in the headings to the following provisions:

Rule 70.09.
Rule 70.10.
Rule 71.02.

(2) The Regulation is amended by striking out "Ontario Court (Provincial Division)" wherever those words occur in the following provisions and substituting in each case "Ontario Court of Justice":

Subrule 70.09 (1).
Subrule 70.10 (1).
Subrule 71.02 (1).
Subrule 71.02 (5).
Forms 4A and 4B.
Form 70A.

8. For greater certainty, the amendments made by this Regulation do not affect the application of section 10 of the *Courts Improvement Act, 1996*.

20/99

ONTARIO REGULATION 293/99
made under the
COURTS OF JUSTICE ACT

Made: April 14, 1999
Approved: April 29, 1999
Filed: April 30, 1999

Amending Reg. 187 of R.R.O. 1990
(District of Algoma Civil Case Management Rules)

Note: Regulation 187 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Clause 15 (1) (c) of Regulation 187 of the Revised Regulations of Ontario, 1990 is amended by striking out "Ontario Court (General Division)" and substituting "Superior Court of Justice".

20/99

ONTARIO REGULATION 294/99
made under the
COURTS OF JUSTICE ACT

Made: April 14, 1999
Approved: April 29, 1999
Filed: April 30, 1999

Amending Reg. 189 of R.R.O. 1990
(Essex Civil Case Management Rules)

Note: Regulation 189 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Regulation 189 of the Revised Regulations of Ontario, 1990 is amended by striking out "Ontario Court (General Division)" and substituting "Superior Court of Justice" in the following provisions:

Clause 15.1 (1) (c).
Form 1.

(Division générale)» partout où figurent ces mots dans les dispositions suivantes :

Les formules 74.32 et 74.33.

7. (1) Le Règlement est modifié par substitution de «Cour de justice de l'Ontario» à «Cour de l'Ontario (Division provinciale)» dans les titres précédant les dispositions suivantes :

La règle 70.09.
La règle 70.10.
La règle 71.02.

(2) Le Règlement est modifié par substitution de «Cour de justice de l'Ontario» à «Cour de l'Ontario (Division provinciale)» partout où figure cette expression dans les dispositions suivantes :

Le paragraphe 70.09 (1).
Le paragraphe 70.10 (1).
Le paragraphe 71.02 (1).
Le paragraphe 71.02 (5).
Les formules 4A et 4B.
La formule 70A.

8. Il est entendu que les modifications apportées par le présent règlement n'ont pas d'incidence sur l'application de l'article 10 de la *Loi de 1996 sur l'amélioration des tribunaux*.

RÈGLEMENT DE L'ONTARIO 293/99
pris en application de la
LOI SUR LES TRIBUNAUX JUDICIAIRES

pris le 14 avril 1999
approuvé le 29 avril 1999
déposé le 30 avril 1999

modifiant le Règl. 187 des R.R.O. de 1990
(Règles de gestion des causes civiles du district d'Algoma)

Remarque : Le Règlement 187 a été modifié antérieurement. Ces modifications sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1998.

1. L'alinéa 15 (1) (c) du Règlement 187 des Règlements refondus de l'Ontario de 1990 est modifié par substitution de «Cour supérieure de justice» à «Cour de l'Ontario (Division générale)».

RÈGLEMENT DE L'ONTARIO 294/99
pris en application de la
LOI SUR LES TRIBUNAUX JUDICIAIRES

pris le 14 avril 1999
approuvé le 29 avril 1999
déposé le 30 avril 1999

modifiant le Règl. 189 des R.R.O. de 1990
(Règles de gestion des causes civiles d'Essex)

Remarque : Le Règlement 189 a été modifié antérieurement. Ces modifications sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1998.

1. Le Règlement 189 des Règlements refondus de l'Ontario de 1990 est modifié par substitution de «Cour supérieure de justice» à «Cour de l'Ontario (Division générale)» dans les dispositions suivantes :

L'alinéa 15.1 (1) (c).
La formule 1.

2. For greater certainty, the amendments made by this Regulation do not affect the application of section 10 of the *Courts Improvement Act, 1996*.

2. Il est entendu que les modifications apportées par le présent règlement n'ont pas d'incidence sur l'application de l'article 10 de la *Loi de 1996 sur l'amélioration des tribunaux*.

20/99

ONTARIO REGULATION 295/99
made under the
COURTS OF JUSTICE ACT

Made: April 14, 1999
Approved: April 29, 1999
Filed: April 30, 1999

Amending O. Reg. 258/98
(Rules of the Small Claims Court)

Note: Ontario Regulation 258/98 has not previously been amended.

1. Forms 1A, 20E, 20F, 20G and 20H of Ontario Regulation 258/98 are amended by striking out "Ontario Court (General Division)" and substituting "Superior Court of Justice".
2. For greater certainty, the amendments made by section 1 do not affect the application of section 10 of the *Courts Improvement Act, 1996*.

RÈGLEMENT DE L'ONTARIO 295/99
pris en application de la
LOI SUR LES TRIBUNAUX JUDICIAIRES

pris le 14 avril 1999
approuvé le 29 avril 1999
déposé le 30 avril 1999

modifiant le Règl. de l'Ont. 258/98
(Règles de la Cour des petites créances)

Remarque : Le Règlement de l'Ontario 258/98 n'a pas été modifié antérieurement.

1. Les formules 1A, 20E, 20F, 20G et 20H du Règlement de l'Ontario 258/98 sont modifiées par substitution de «Cour supérieure de justice» à «Cour de l'Ontario (Division générale)».
2. Il est entendu que les modifications apportées par l'article 1 n'ont pas d'incidence sur l'application de l'article 10 de la *Loi de 1996 sur l'amélioration des tribunaux*.

20/99

ONTARIO REGULATION 296/99
made under the
COURTS OF JUSTICE ACT

Made: April 29, 1999
Filed: April 30, 1999

Amending O. Reg. 233/95
(Number of Judges)

Note: Ontario Regulation 233/95 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Section 2.1 of Ontario Regulation 233/95 is revoked and the following substituted:
- 2.1 The number of judges of the Court of Appeal who are in addition to the Chief Justice and the Associate Chief Justice is increased from 17 to 19.

20/99

ONTARIO REGULATION 297/99
made under the
JURIES ACT

Made: April 29, 1999
Filed: April 30, 1999

Amending Reg. 680 of R.R.O. 1990
(General)

Note: Regulation 680 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Form 1 of Regulation 680 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:



FORM 1 / FORMULE 1

JURIES ACT / RÉGULATION / LOI SUR LES JURYS, RÈGLEMENT

QUESTIONNAIRE AS TO QUALIFICATIONS FOR JURY SERVICE QUESTIONNAIRE CONCERNANT LES QUALITÉS REQUISES POUR REMPLIR LES FONCTIONS DE JURÉ

RETURN TO JURY SERVICE NOTICE
DÉCLARATION RELATIVE À L'AVIS DE
SÉLECTION DE JURÉ

NOTE: ►

YOU ARE ONLY BEING CONSIDERED AS A POSSIBLE JUROR.
ON CONSIDÈRE SEULEMENT LA POSSIBILITÉ DE VOUS CONVOQUER COMME JURÉ

FILE NO. 1 NUMÉRO DE DOSSIER

RETURN COMPLETED FORM TO SHERIFF'S OFFICE

RENNOVER LA FORMULE D'UNEMENT REMPLIE AU BUREAU DU SHÉRIF

JURIES ACT, c. J.3, R.S.O., 1990

SUBSECTION 38(3) of the Juries Act reads as follows: "Every person who is required to complete a return to a jury service notice and who,

- (a) without reasonable excuse fails to complete the return or mail it to the sheriff as required by subsection 6(5); or
 - (b) knowingly gives false or misleading information in the return,
- is guilty of an offence and on conviction is liable to a fine of not more than \$5,000, or to imprisonment for a term of not more than six months, or to both."

THIS IS NOT A SUMMONS FOR JURY SERVICE. YOU ARE BEING CONSIDERED AS A POSSIBLE JUROR IN ORDER THAT YOUR QUALIFICATIONS FOR SUCH SERVICE MAY BE DETERMINED BEFORE YOU ARE SUMMONED TO APPEAR. IF YOU ARE CHOSEN FOR JURY SERVICE YOU WILL BE NOTIFIED OF THE TIME AND PLACE TO APPEAR.

YOU ARE REQUIRED TO COMPLETE AND RETURN THE QUESTIONNAIRE BELOW WITHIN FIVE (5) DAYS OF RECEIPT. MAIL THE COMPLETED QUESTIONNAIRE IN THE ENCLOSED PRE-ADDRESSED ENVELOPE WHICH REQUIRES NO POSTAGE. THIS MATTER MUST BE GIVEN YOUR IMMEDIATE ATTENTION.

LOI SUR LES JURYS, chap. J.3, L.R.O. 1990

LE PARAGRAPHE 38(3) de la Loi sur les jurys se lit comme suit : « Est coupable d'une infraction et passible, sur déclaration de culpabilité, d'une amende d'au plus 5 000 \$ et d'un emprisonnement d'au plus six mois, ou d'une seule de ces peines, toute personne qui est tenue de remplir la formule de rapport qui accompagne l'avis de sélection de juré et qui :

- (a) soit omet, sans excuse raisonnable de remplir la formule de rapport ou de la renvoyer au shérif conformément au paragraphe 6(5);
- (b) soit fournit sciemment des renseignements faux ou trompeurs sur la formule».

CET AVIS NE CONSTITUE PAS UNE ASSIGNATION À SIÉGER COMME JURÉ. ON CONSIDÈRE SEULEMENT LA POSSIBILITÉ DE VOUS CONVOQUER COMME JURÉ, AFIN DE DÉTERMINER SI VOUS AVEZ LES QUALITÉS REQUISES POUR REMPLIR LES FONCTIONS DE JURÉ AVANT QUE VOUS SOYÉZ ASSIGNÉ(E) À COMPARAÎTRE. SI VOUS ÊTES CHOISIE(E) POUR REMPLIR LES FONCTIONS DE JURÉ, ON VOUS AVISERA DU LIEU, DE LA DATE ET DE L'HEURE DE VOTRE COMPARUTION.

VOUS ÊTES TENUE(E) DE RETOURNER LE QUESTIONNAIRE CI-DESSOUS, D'UNEMENT REMPLI, DANS LES CINQ JOURS QUI SUIVENT SA RÉCEPTION. VEUILLEZ ENVOYER PAR LA POSTE LE QUESTIONNAIRE D'UNEMENT REMPLI DANS L'ENVELOPPE ADRESSÉE CI-INCLUSE, SANS L'AFFRANCHIR. VEUILLEZ PORTER UNE ATTENTION IMMÉDIATE À CE QUESTIONNAIRE.

* PLEASE HAND PRINT YOUR ANSWERS

* ANSWER ALL QUESTIONS AND SIGN THE QUESTIONNAIRE
RETURN THE COMPLETED FORM IN THE ENCLOSED, STAMPED, PRE-ADDRESSED ENVELOPE TO THE SHERIFF'S OFFICE WITHIN FIVE (5) DAYS.

* ÉCRIRE À LA MAIN EN LETTRES MOULÉES

* RÉPONDRE À TOUTES LES QUESTIONS ET SIGNER LE QUESTIONNAIRE
RENNOVER DANS LES CINQ JOURS LA FORMULE D'UNEMENT REMPLIE AU BUREAU DU SHÉRIF, EN UTILISANT L'ENVELOPPE ADRESSÉE ET AFFRANCHIE CI-INCLUSE.

1 GIVE CURRENT OCCUPATION, TRADE OR PROFESSION
EMPLOI, MÉTIER OU PROFESSION ACTUEL(LE)

IF YOU ARE RETIRED OR NOT WORKING, GIVE LAST OCCUPATION, TRADE OR PROFESSION HERE:
SI VOUS ÊTES RETRAITÉ(E) OU SI VOUS NE TRAVAILLEZ PAS, INDIQUEZ VOTRE DERNIER EMPLOI,
OU LE MÉTIER OU LA PROFESSION QUE VOUS AVEZ EXERCÉ EN DERNIER

2 BUSINESS TELEPHONE

RESIDENTIAL TELEPHONE

ANSWER QUESTIONS 3 TO 10 BY MARKING AN "X" IN THE PROPER BOX.

- 3** CAN YOU READ, SPEAK AND UNDERSTAND THE FRENCH LANGUAGE?
- 4** CAN YOU READ, SPEAK AND UNDERSTAND THE ENGLISH LANGUAGE?
- 5** ARE YOU A CANADIAN CITIZEN?
- 6** ARE YOU 18 YEARS OF AGE OR MORE?

7 HAVE YOU BEEN CONVICTED OF AN INDICTABLE OFFENCE FOR WHICH YOU HAVE NOT BEEN GRANTED A PARDON?

An indictable offence is a serious offence and does not include violations of provincial statutes such as traffic and liquor laws. Nor are some Criminal Code offences indictable; for example, causing a disturbance, taking a motor vehicle without the owner's consent and vagrancy are not indictable offences. A person who has been convicted of an indictable offence is ineligible to serve as a juror, unless he or she has subsequently been granted a pardon.

8 HAVE YOU ATTENDED COURT FOR JURY SERVICE IN RESPONSE TO A SUMMONS IN THIS OR THE TWO PRECEDING YEARS?

DOES YOUR OCCUPATION, PROFESSION OR POSITION EXEMPT YOU FROM JURY SERVICE?

THE FOLLOWING PERSONS ARE INELIGIBLE TO SERVE AS JURORS: 1. Every member of the Privy Council of Canada or the Executive Council of Ontario. 2. Every member of the Senate, the House of Commons of Canada or the Assembly. 3. Every judge, every justice of the peace, every barrister and solicitor and every student-at-law, engaged in practice and every coroner. 4. Every person engaged in the active management of a business, profession, occupation or trade. 5. Every person engaged in the management of law including, without restricting the generality of the foregoing, sheriffs, wardens of any penitentiary, superintendents, jailers or keepers of prisons, correctional institutions or lockups, sheriff's officers and constables, police officers and constables, and officers of a court of justice. 6. Armed forces personnel of the regular and special forces and members of the reserve forces on active service. 7. Firefighters except volunteer firefighters as described in section 4(1) of the Fire Protection and Prevention Act, 1997.

10 DO YOU HAVE ANY PHYSICAL OR MENTAL DISABILITY WHICH WOULD SERIOUSLY IMPAIR YOUR ABILITY TO SERVE AS A JUROR? IF "YES", ATTACH AN EXPLANATORY LETTER FROM YOUR DOCTOR OR COMPLETE THE "AUTHORIZATION FOR DOCTOR TO PROVIDE MEDICAL INFORMATION" BELOW.

no / non	LISEZ-VOUS, PARLEZ-VOUS ET COMPRENEZ-VOUS LA LANGUE FRANÇAISE?
no / non	LISEZ-VOUS, PARLEZ-VOUS ET COMPRENEZ-VOUS LA LANGUE ANGLAISE?
no / non	ÊTES-VOUS CITOYEN(NE) CANADIEN(NE)?
no / non	ÊTES-VOUS ÂGÉ(E) DE 18 ANS OU PLUS?
yes / oui	AVEZ-VOUS DÉJÀ ÉTÉ RECONNU(E) COUPABLE D'UN ACTE CRIMINEL POUR LEQUEL UN PARDON NE VOUS A PAS ÉTÉ ACCORDÉ?
yes / oui	Un acte criminel est une infraction extrêmement grave, à l'exclusion des contraventions aux lois provinciales telles que les lois relatives à la circulation et à l'alcool. Quelques infractions au Code criminel ne constituent pas des actes criminels, par exemple, le fait de troubler la paix publique, la prise d'un véhicule à moteur sans le consentement du propriétaire et le vagabondage ne constituent pas des actes criminels. Une personne est inéligible à remplir les fonctions de juré si elle a été reconnue coupable d'un acte criminel, sauf si un pardon lui a été accordé par la suite.
yes / oui	VOUS ÊTES-VOUS PRÉSENTÉ(E), CETTE ANNÉE OU AU COURS DES DEUX ANNÉES PRÉCÉDENTES, POUR REMPLIR LES FONCTIONS DE JURÉ EN RÉPONSE À UNE ASSIGNATION?
yes / oui	ÊTES-VOUS EXEMPTÉ(E) DES FONCTIONS DE JURÉ DE PAR VOTRE EMPLOI, MÉTIER OU PROFESSION?
yes / oui	LES PERSONNES CI-DESSOUS SONT INÉLIGIBLES À REMPLIR LES FONCTIONS DE JURÉ : 1. Les membres du Conseil privé du Canada ou du Conseil des ministres de l'Ontario. 2. Les membres du Sénat, de la Chambre des Communes ou de l'Assemblée. 3. Les juges, les juges de paix, les avocats et les étudiants en droit. 4. Les médecins exerçant leur profession, ainsi que les coroners, chirurgiens-vétérinaires qui exercent effectivement leur profession, ainsi que les coroners. 5. Toute personne engagée dans la gestion active d'une entreprise, d'un commerce ou d'une profession. 6. Les personnes engagées dans la gestion active d'une entreprise, d'un commerce ou d'une profession, y compris les directeurs de pénitenciers, chefs d'établissement, les gardiens de prisons, les gardiens de correctionnels ou de lieux de détention provisoire, les représentants et les constables du shérif, les agents de police et les constables ainsi que les membres de la réserve en service actif. 7. Les forces armées ordinaires et spéciales et les membres de la réserve en service actif. 8. Le personnel des pompiers, excepté les pompiers volontaires au sens du paragraphe 4(1) de la Loi de 1997 sur la prévention et la protection contre l'incendie.
yes / oui	SOUFFRÉZ-VOUS D'UNE INFIRMITÉ PHYSIQUE OU MENTALE INCOMPATIBLE AVEC L'ACCOMPLISSEMENT DES DEVOIRS D'UN JURÉ? SI "OUI", VEUILLEZ JOINDRE UNE LETTRE EXPLICATIVE DE VOTRE MÉDECIN OU REMPLIR L'AUTORISATION AU MÉDECIN DE DIVULGUER DES RENSEIGNEMENTS MÉDICAUX CI-DESSOUS.

AUTHORIZATION FOR DOCTOR TO PROVIDE MEDICAL INFORMATION AUTORISATION AU MÉDECIN DE DIVULGUER DES RENSEIGNEMENTS MÉDICAUX

This is to authorize Doctor
Par la présente, j'autorise le médecin

Address
Adresse

Phone No.
N° de téléphone

to provide the sheriff with medical information and opinion for the purpose of verifying my physical or mental infirmity (or both) incompatible with the discharge of my duties as juror.

à donner au shérif des renseignements médicaux et son avis aux fins de confirmer que l'infirmité physique ou mentale, ou les deux, dont je souffre me rend(ent) inhabile à remplir les fonctions de juré.

Municipality / Municipalité

Day / Jour

Month / Mois

Year / Année

Dated at
Fait à

the
le

of
de

Signature of prospective juror
Signature du juré à venir

I CERTIFY THAT ALL ANSWERS AND STATEMENTS ARE TRUE TO THE BEST OF MY KNOWLEDGE.
JE CERTIFIE QUE, À MA CONNAISSANCE, TOUTES MES RÉPONSES ET DÉCLARATIONS SONT VÉRIDIQUES.

SIGN HERE / SIGNER ICI

DATE

INFORMATION SERVICE FOR QUESTIONNAIRE

SERVICE D'INFORMATION SUR LE QUESTIONNAIRE

1-800-387-0856

TORONTO AREA

416-325-3282

RÉGION DE TORONTO

SS 0500 (Rev. 07/98)

ONTARIO REGULATION 298/99
made under the
RECIPROCAL ENFORCEMENT OF JUDGMENTS ACT

Made: April 29, 1999
Filed: April 30, 1999

Amending O. Reg. 322/92
(Application of Act)

Note: Ontario Regulation 322/92 has not previously been amended.

1. Section 1 of Ontario Regulation 322/92 is amended by adding "Nunavut" to the list of provinces and territories.

20/99

ONTARIO REGULATION 299/99
made under the
HIGHWAY TRAFFIC ACT

Made: April 29, 1999
Filed: April 30, 1999

Amending Reg. 628 of R.R.O. 1990
(Vehicle Permits)

Note: Since the end of 1998, Regulation 628 has been amended by Ontario Regulations 71/99 and 254/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. (1) Subsection 2 (1) of Regulation 628 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(1) It is a requirement for receiving a permit for a used motor vehicle,

(a) that the applicant submit a safety standards certificate issued upon an inspection of the vehicle that was completed within the preceding 36 days;

(b) if the application is made on or after April 2, 1999 in respect of a motor vehicle with a registered gross weight of 4,500 kilograms or less, that the Ministry is satisfied that an emissions inspection report has been issued in respect of the vehicle within the preceding six months; and

(c) if the application is made on or after September 30, 1999 in respect of a motor vehicle with a registered gross weight of more than 4,500 kilograms, that the Ministry is satisfied that an emissions inspection report has been issued in respect of the vehicle within the preceding 12 months.

(2) Clause 2 (4) (b) of the Regulation is revoked.

(3) Subsection 2 (5) of the Regulation is amended by striking out "the Table" in the second line and substituting "Table 1".

(4) Section 2 of the Regulation is amended by adding the following subsections:

(5.1) Clause (1) (c) does not apply in respect of any motor vehicle that does not use an internal combustion engine as its source of power.

(5.2) Clause (1) (c) only applies in respect of an application respecting a motor vehicle that uses fuel other than diesel fuel if the application is made in the time period set out in Table 2 to this section

RÈGLEMENT DE L'ONTARIO 298/99
pris en application de la
LOI SUR L'EXÉCUTION RÉCIPROQUE DE JUGEMENTS

pris le 29 avril 1999
déposé le 30 avril 1999

modifiant le Règl. de l'Ont. 322/92
(Application de la Loi)

Remarque : Le Règlement de l'Ontario 322/92 n'a pas été modifié antérieurement.

1. L'article 1 du Règlement de l'Ontario 322/92 est modifié par adjonction de «Le Nunavut» à la liste des provinces et des territoires.

by an applicant whose address, as shown on the plate portion of the permit, is within the area set out in Table 2 opposite the time period.

(6.1) The emissions inspection report required under clause (1) (c) shall be based on any emissions test that is applicable to that vehicle as set out in Ontario Regulation 361/98 made under the *Environmental Protection Act*.

(5) Subsection 2 (9) of the Regulation is amended by striking out "clause (1) (b)" wherever it appears and substituting in each case "clause (1) (b) or (c)".

(6) Subsection 2 (10) of the Regulation is amended by striking out "clause (1) (b)" in the second line and substituting "clause (1) (b) or (c)".

(7) The Table to section 2 of the Regulation is revoked and the following substituted:

TABLE 1

APPLICATION OF CLAUSE 2 (1) (b)

Time Period when Application is Made	Area of Applicant's Address
April 2, 1999—December 31, 2000, both inclusive	Greater Toronto Area
on and after January 1, 2001	Greater Toronto Area, the urban and commuter areas

TABLE 2

APPLICATION OF CLAUSE 2 (1) (c)

Time Period when Application is Made	Area of Applicant's Address
September 30, 1999—December 31, 2000, both inclusive	Greater Toronto Area
on and after January 1, 2001	Greater Toronto Area, the urban and commuter areas

2. (1) Subsection 8.1 (1) of the Regulation is amended by inserting "for a motor vehicle with a registered gross weight of 4,500 kilograms or less" after "permit" in the first and second lines.

(2) Clause 8.1 (3) (b) of the Regulation is revoked.

3. The Regulation is amended by adding the following section:

8.2 (1) Despite anything in this Regulation, no motor vehicle permit for a motor vehicle with a registered gross weight of more than 4,500 kilograms shall be renewed or evidence of validation furnished in respect of a permit that expires on or after September 30, 1999, unless the Ministry is satisfied that an emissions inspection report has been issued in respect of the vehicle within 12 months before the permit expires or, if the application for renewal is made after the expiry of the permit, within 12 months before the application for renewal.

(2) Subsection (1) does not apply in respect of,

(a) a motor vehicle the model year of which is less than three years before the calendar year in which the application is made; or

(b) any motor vehicle that does not use an internal combustion engine as its source of power.

(3) Subsection (1) only applies in respect of an application respecting a motor vehicle that uses fuel other than diesel fuel if the

application is made in the time period set out in the Table to this section by an applicant whose address, as shown on the plate portion of the permit, is within the area set out in the Table opposite the time period.

(4) Subsection (1) only applies once every 12 months in respect of a permit holder for a motor vehicle.

(5) The emissions inspection report required under subsection (1) shall be based on any emissions test that is applicable to that vehicle as set out in Ontario Regulation 361/98 made under the *Environmental Protection Act*.

TABLE

APPLICATION OF SUBSECTION 8.2 (1)

Time Period when Application is Made	Area of Applicant's Address
September 30, 1999—December 31, 2000	Greater Toronto Area
on and after January 1, 2001	Greater Toronto Area, the urban and commuter areas

20/99

Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1999—05—22

ONTARIO REGULATION 300/99 made under the EDUCATION ACT

Made: April 30, 1999
Filed: May 3, 1999

Amending O. Reg. 218/99
(First Instalment Payment of School Taxes in 1999)

Note: Ontario Regulation 218/99 has not previously been amended.

1. Section 1 of Ontario Regulation 218/99 is revoked and the following substituted:

1. (1) The time on or before which a municipality shall pay instalments referred to in paragraph 1 of subsection 257.11 (1) of the Act is extended to April 30, 1999.

(2) The time on or before which a board shall pay instalments referred to in paragraph 1 of subsection 257.11 (1) of the Act is extended to June 30, 1999.

DAVID JOHNSON
Minister of Education and Training

Dated on April 30, 1999.

21/99

RÈGLEMENT DE L'ONTARIO 300/99 pris en application de la LOI SUR L'ÉDUCATION

pris le 30 avril 1999
déposé le 3 mai 1999

modifiant le Règl. de l'Ont. 218/99
(Premier versement échelonné d'impôts scolaires de 1999)

Remarque : Le Règlement de l'Ontario 218/99 n'a pas été modifié antérieurement.

1. L'article 1 du Règlement de l'Ontario 218/99 est abrogé et remplacé par ce qui suit :

1. (1) La date à laquelle les municipalités sont tenues, au plus tard, de faire le versement échelonné visé à la disposition 1 du paragraphe 257.11 (1) de la Loi est reportée au 30 avril 1999.

(2) La date à laquelle les conseils sont tenus, au plus tard, de faire le versement échelonné visé à la disposition 1 du paragraphe 257.11 (1) de la Loi est reportée au 30 juin 1999.

DAVID JOHNSON
Ministre de l'Éducation et de la Formation

Fait le 30 avril 1999.

ONTARIO REGULATION 301/99 made under the MUNICIPAL ACT

Made: May 3, 1999
Filed: May 3, 1999

Amending O. Reg. 135/99
(Tax Matters—Deadline for 1999 Upper-Tier By-laws)

Note: Ontario Regulation 135/99 has not previously been amended.

1. Section 1 of Ontario Regulation 135/99 is amended by striking out "April 30, 1999" at the beginning and substituting "June 30, 1999."

AL LEACH
Minister of Municipal Affairs and Housing

Dated on May 3, 1999.

21/99

ONTARIO REGULATION 302/99 made under the FIRE PROTECTION AND PREVENTION ACT, 1997

Made: April 30, 1999
Filed: May 4, 1999

Amending O. Reg. 388/97
(Fire Code)

Note: Ontario Regulation 388/97 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Sentence 3.6.1.1. (5) of Ontario Regulation 388/97 is amended by striking out "Power Corporation Act" in the third line and substituting "Electricity Act, 1998".

2. Article 4.1.4.1. of the Regulation is amended by striking out "Power Corporation Act" in the third line and substituting "Electricity Act, 1998".

3. Article 5.1.3.1. of the Regulation is amended by striking out "Power Corporation Act" in the second line and substituting "Electricity Act, 1998".

4. Article 5.12.5.1. of the Regulation is amended by striking out "Power Corporation Act" in the third line and substituting "Electricity Act, 1998".

5. Article 5.13.5.6. of the Regulation is amended by striking out "Power Corporation Act" in the fourth line and substituting "Electricity Act, 1998".

6. Article 9.6.2.14. of the Regulation is amended by striking out "Power Corporation Act" in the first line and substituting "Electricity Act, 1998".

7. (1) Sentence 9.8.6.1. (1) of the Regulation is amended by striking out "Ontario Hydro" in the third line and substituting "the Electrical Safety Authority, as defined in the Electricity Act, 1998".

(2) Sentence 9.8.6.1. (2) of the Regulation is amended by striking out "Power Corporation Act" in the third line and substituting "Electricity Act, 1998".

(3) Sentence 9.8.6.1. (3) of the Regulation is amended by striking out "Ontario Hydro" in the first line and substituting "the Electrical Safety Authority, as defined in the Electricity Act, 1998".

8. This Regulation comes into force on the day subsection 113 (1) of the *Electricity Act, 1998* comes into force.

R. W. RUNCIMAN

Solicitor General and Minister of Correctional Services

Dated on April 30, 1999.

21/99

ONTARIO REGULATION 303/99
made under the
LIQUOR LICENCE ACT

Made: April 29, 1999

Filed: May 5, 1999

Amending Reg. 723 of R.R.O. 1990
(Possession of Liquor in Provincial Parks)

Note: Regulation 723 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. The Schedule to Regulation 723 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

Schedule

Awenda Provincial Park

Balsam Lake Provincial Park

Bass Lake Provincial Park

Blue Lake Provincial Park

Bon Echo Provincial Park

Darlington Provincial Park

Earl Rowe Provincial Park

Emily Provincial Park

Fitzroy Provincial Park

Ipperwash Provincial Park

Killbear Provincial Park

Long Point Provincial Park

MacGregor Point Provincial Park

Mara Provincial Park

McRae Point Provincial Park

Oastler Lake Provincial Park

Pinery Provincial Park

Point Farms Provincial Park

Port Burwell Provincial Park

Presqu'île Provincial Park

Rideau River Provincial Park

Rock Point Provincial Park

Rondeau Provincial Park

Rushing River Provincial Park

Samuel de Champlain Provincial Park

Sandbanks Provincial Park

Sauble Falls Provincial Park

Selkirk Provincial Park

Sharbot Lake Provincial Park

Sibbald Point Provincial Park

Silver Lake Provincial Park

Six Mile Lake Provincial Park

Sleeping Giant Provincial Park

Turkey Point Provincial Park

Wheatly Provincial Park

21/99

ONTARIO REGULATION 304/99
made under the
**FREEDOM OF INFORMATION AND
PROTECTION OF PRIVACY ACT**

Made: May 5, 1999
Filed: May 5, 1999

Amending Reg. 460 of R.R.O. 1990
(General)

Note: Since the end of 1998, Regulation 460 has been amended by Ontario Regulations 104/99 and 138/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Item 189.1 of the Schedule to Regulation 460 of the Revised Regulations of Ontario, 1990 is revoked.

RÈGLEMENT DE L'ONTARIO 304/99
pris en application de la
**LOI SUR L'ACCÈS À L'INFORMATION ET LA
PROTECTION DE LA VIE PRIVÉE**

pris le 5 mai 1999
déposé le 5 mai 1999

modifiant le Règl. 460 des R.R.O. de 1990
(Dispositions générales)

Remarque : Depuis la fin de 1998, le Règlement 460 a été modifié par les Règlements de l'Ontario 104/99 et 138/99. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1998.

1. Le numéro 189.1 de l'annexe du Règlement 460 des Règlements refondus de l'Ontario de 1990 est abrogé.

21/99

ONTARIO REGULATION 305/99
made under the
HIGHWAY 407 ACT, 1998

Made: May 5, 1999
Filed: May 5, 1999

Amending O. Reg. 217/99
(Highway 407 Lands)

Note: Ontario Regulation 217/99 has not previously been amended.

1. Schedule 2 to Ontario Regulation 217/99 is revoked and the following substituted:

Schedule 2

That part of the route of Highway 407,

(A) in the City of Vaughan, Regional Municipality of York, consisting of:

- Firstly** **Part of PIN 03221-0074 (R)**
Part of Lots 1 and 2, Concession 8, Geographic Township of Vaughan, designated as Part 1 on Plan 65R-20958.
- Secondly** **Part of PIN 03222-0377 (R)**
Part of Lots 1 and 2, Concession 8, Geographic Township of Vaughan, designated as Part 1 on Plan 65R-20949.
- Thirdly** **Part of PIN 03222-0397 (R)**
Part of Lots 16 and 29, Registrar's Compiled Plan 9691, designated as Part 1, 2, 3, 4, 5, 6 and 7, Plan 65R-20977.
- Fourthly** **Part of PIN 03222-0395 (R)**
Part of Lots 14 and 17, Registrar's Compiled Plan 9691, designated as Part 1 on Plan 65R-20982.
- Fifthly** **Part of PIN 03223-0052 (R)**
Part of Lot 1, Registrar's Compiled Plan 9691 and Part of Lot 8 Registrar's Compiled Plan 9831, designated as Parts 2, 4, 5 and 6 Plan 65R-20982.
- Sixthly** **Part of PIN 03223-0062 (R)**
Part of Lot 1, Registrar's Compiled Plan 9691, designated as Part 3 on Plan 65R-20982.
- Seventhly** **Part of PIN 03224-0007 (R)**
Part of Lots 2, 3 and 4, Concession 6, Geographic Township of Vaughan, designated as Part 1 on Plan 65R-20953 and Part 1 on Plan 65R-20951.
- Eighthly** **Part of PIN 03228-0073 (R)**
Part of Lots 2, 3, 4 and 5, Concession 5, Geographic Township of Vaughan, designated as Parts 1 and 2 on Plan 65R-20961.
- Ninthly** **Part of PIN 03228-0076 (R)**
Part of Lot 2, Concession 5, Geographic Township of Vaughan, designated as Parts 3, 4, 5 and 6 on Plan 65R-20961.
- Tenthly** **Part of PIN 03228-0075 (R)**
Part of Lots 2, 3 and 4, Concession 5, Geographic Township of Vaughan, designated as Part 1 on Plan 65R-20956 and Parts 3, 4, 5, 6 and 7 on Plan 65R-20975.
- Eleventhly** **Part of PIN 03228-0001(R)**
Part of the road allowance between Concessions 5 and 6, Part of Lots 3 and 4, Concession 5, Part of Lots 3 and 4, Concession 6, (formerly in the Geographic Township of Vaughan), designated as Part 1 on Plan 65R-21237.
- Twelfthly** **Part of PIN 03228-0125 (R)**
Part of Lot 4, Concession 5, Geographic Township of Vaughan, designated as Part 2 on Plan 65R-20975.

Thirteenthly	Part of PIN 03228-0126 (R) Part of Lot 5, Concession 5, Geographic Township of Vaughan, designated as Part 1 on Plan 65R-20975.
Fourteenthly	Part of PIN 03230-0045 (R) Part of Lot 13, Registered Plan 8070, designated as Part 1 on Plan 65R-20976.
Fifteenthly	Part of PIN 03230-0046 (R) Part of Lots 2 and 3, Concession 4, Geographic Township of Vaughan, designated as Part 2 on Plan 65R-20976.
Sixteenthly	Part of PIN 03230-0075 (R) Part of Lots 3 and 4, Concession 4, Geographic Township of Vaughan, designated as Part 2 on Plan 65R-20964.
Seventeenthly	Part of PIN 03231-0361 (R) Part of Lot 3, Concession 3, Geographic Township of Vaughan, designated as Part 2, Plan 65R-20948 and Part 1 on Plan 65R-20952.
Eighteenthly	Part of PIN 03274-0002 (R) Part of Highway 7 (Concord Road), Registrar's Compiled Plan No. 10309, designated as Part 4 on Plan 65R-20950.
Nineteenthly	Part of PIN 03274-0093 (R) Part of Lot 22, Registrar's Compiled Plan No. 10309, Part of Lot 7, Concession 3, Geographic Township of Vaughan, designated as Part 5, Plan 65R-20950 and Part 1 on Plan 65R-20954 Part of Lots 7 and 8, Concession 3, Geographic Township of Vaughan, designated as Parts 2 and 3 on Plan 65R-20954 Part of Lot 8, Concession 3, Geographic Township of Vaughan, designated as Part 1 on Plan 65R-20959.
Twentiethly	Part of PIN 03270-0001 (R) Part of Lot 9, Concession 2, Geographic Township of Vaughan, designated as Part 1 on Plan 65R-20971.
Twenty-firstly	Part of PIN 03270-0585 (R) Part of Lots 9 and 10, Concession 2, Geographic Township of Vaughan, designated as Part 2 on Plan 65R-20971 and Parts 1, 2, and 3 on Plan 65R-20973.
Twenty-secondly	Part of PIN 03271-0028 (R) Part of Lot 10, Concession 2, Geographic Township of Vaughan, designated as Parts 4 and 5 on Plan 65R-20973.
Twenty-thirdly	Part of PIN 03224-0007 (R) Part of Lot 2, Concession 6 (formerly in the Geographic Township of Vaughan), designated as Part 2 on Plan 65R-20953.
Twenty-fourthly	Part of PIN 03230-0104(R) Part of Lots 2, 3 and 4, Concession 4, Part of Lots 2, 3 and 4, Concession 5 and part of the road allowance between Concessions 4 and 5, (formerly in the Geographic Township of Vaughan), designated as Part 1 on Plan 65R-21224.

Twenty-fifthly	Part of PIN 03223-0001(R) Part of Islington Avenue being Part of Lot 13 Registrar's Compiled Plan 9691, (formerly in the Geographic Township of Vaughan), designated as Part 1 on Plan 65R-21225.
Twenty-sixthly	Part of PIN 03222-0698(R) Part of Martin Grove Road, being Part of Lots 1 and 2, Concession 8, (formerly in the Geographic Township of Vaughan), designated as Part 1 on Plan 65R-21227.
Twenty-seventhly	Part of PIN 03222-0382(R) Part of the road allowance between Concessions 7 and 8, (formerly in the Geographic Township of Vaughan), designated as Part 1 on Plan 65R-21226.
Twenty-eighthly	Part of PIN 03029-0818(R) Part of Lots 8, 9 and 10, Concession 2, designated as Parts 2, 3, 4, 5, 6, 7, 8, 9 and 10 on Plan 65R-21234.
Twenty-ninthly	Part of PIN 03029-0827(R) Part of the road allowance between Lots 10 and 11, Concession 2, designated as Part 11 on Plan 65R-21234.
Thirtiethly	Part of PIN 03029-0826(R) Part of Lot 11, Concession 2, Part of Lots 1 and 2, Plan 2607 (Markham) and Part of Lot 2, Plan 2607 (Richmond Hill), designated as Parts 12 and 13 on Plan 65R-21234.
Thirty-firstly	Part of PIN 03029-0828(R) Part of Lot 10, Concession 2, designated as Part 14 on Plan 65R-21234.
Thirty-secondly	Part of PIN 03231-0370(R) Part of Lots 3 and 4, Concession 3, Part of Lot 3, Concession 4, Part of the road allowance between Concession 3 and 4 (formerly in the Geographic Township of Vaughan), designated as Part 2 on Plan 65R-21233.
Thirty-thirdly	Part of PIN 03224-0001(R) Part of the road allowance between Concessions 6 and 7, Part of Lots 2 and 3, Concession 6 (formerly in the Geographic Township of Vaughan), Part of Lot 19, Registrar's Compiled Plan No. 9831 and Part of Lot 2, Registrar's Compiled Plan No. 9691 (being Part of Lots 3 and 4, Concession 7), designated as Part 1 on Plan 65R-21235.

- Thirty-fourthly** **Part of PIN 03270-0001(R)**
- Part of Lots 8 and 9, Concession 2, Part of Lots 8 and 9, Concession 3, Part of the road allowance between Concession 2 and 3 (formerly in the Geographic Township of Vaughan), designated as Part 1 on Plan 65R-21242.
- Thirty-fifthly** **Part of PIN 03259-0001(R)**
- Part of the road allowance between Concessions 1 and 2 and Part of Lots 9 and 10, Concession 2 (formerly in the Geographic Township of Vaughan), designated as Part 1 on Plan 65R-21258.
- Thirty-sixthly** **Part of PIN 03270-0585(R)**
- Part of Lot 9, Concession 2 (formerly in the Geographic Township of Vaughan), designated as Parts 1 and 2 on Plan 65R-20957.
- Thirty-seventhly** **PIN 03259-0927(LT)**
- All of Unit 1, Expropriation Plan D543 (formerly Township of Vaughan), designated as Part 1 on Plan 65R-21259.
- Thirty-eighthly** **PIN 03259-0928(LT)**
- Part of Lot 35, Concession 1 (formerly Township of Vaughan), designated as Part 2 on Plan 65R-21259.
- Thirty-ninthly** **Part of PIN 03259-0005(LT)**
- Part of Lot 35, Concession 1 (formerly Township of Vaughan), designated as Parts 3, 4, 5, 6 and 7 on Plan 65R-21259.
- Fortiethly** **Part of PIN 03259-0917(LT)**
- Part of Lot 35, Concession 1 (formerly Township of Vaughan), designated as Part 8 on Plan 65R-21259.
- Forty-firstly** **Part of PIN 03259-1481(LT)**
- Part of Lot 35, Concession 1 (formerly Township of Vaughan), designated as Part 9 on Plan 65R-21259.
- Forty-secondly** **Part of PIN 03259-0007(LT)**
- Part of Lot 35, Concession 1 (formerly Township of Vaughan), designated as Part 10 on Plan 65R-21259.
- Forty-thirdly** **Part of PIN 03259-0005(LT)**
- Part of Lot 35, Concession 1 (formerly Township of Vaughan), designated as Parts 11, 12, 13 and 14 on Plan 65R-21259.

Forty-fourthly	PIN 03259-0006(LT) Part of Lot 35, Concession 1 (formerly Township of Vaughan), designated as Part 15 on Plan 65R-21259.
Forty-fifthly	Part of PIN 03100-0002(LT) Part of Lot 35, Concession 1 (formerly Township of Vaughan), designated as Part 16 on Plan 65R-21259.
Forty-sixthly	Part of PIN 03215-0002(LT) Part of Lot 35, Concession 1 (formerly Township of Vaughan), designated as Parts 22 and 23 on Plan 65R-21259.
Forty-seventhly	Part of PIN 03220-0036(LT) Part of the road allowance between the Townships of Toronto-Gore and Vaughan, (formerly in the Geographic Township of Vaughan), designated as Part 1 on Plan 65R-21223.
Forty-eighthly	Part of PIN 03220-0044 (LT) Part of Lots 1 and 2, Concession 9, Geographic Township of Vaughan, designated as Part 1 on Plan 65R-20960 and Part 1 on Plan 65R-20962.
Forty-ninthly	Part of PIN 03220-0023 (LT) Part of Lots 1 and 2, Concession 8, Geographic Township of Vaughan, designated as Part 2 on Plan 65R-20962.
Fiftiethly	PIN 03228-0069 (LT) Part of Lot 4, Concession 5, Geographic Township of Vaughan, designated as Parts 1, 2, 3, 4, 5 and 6, Plan 65R-15635.
Fifty-firstly	Part of PIN 03230-0076 (LT) Part of Lot 4, Concession 4, Geographic Township of Vaughan, designated as Part 1 on Plan 65R-20964.
Fifty-secondly	Part of PIN 03231-0147 (LT) Part of Lot 4, Concession 3, Geographic Township of Vaughan, designated as Part 1 on Plan 65R-20948 and Parts 2 and 3 on Plan 65R-20952.
Fifty-thirdly	Part of PIN 03232-0650 (LT) Part of Lots 4 and 5, Concession 3, Geographic Township of Vaughan, designated as Part 4 on Plan 65R-20952 and Parts 1 and 3 on Plan 65R-20950.
Fifty-fourthly	Part of PIN 03232-1272 (LT) Part of Lots 4 and 5, Concession 3, Geographic Township of Vaughan, designated as Part 2 on Plan 65R-20950.
Fifty-fifthly	Part of PIN 03274-0029 (LT) Part of Block B, Registered Plan M-1832, designated as Parts 2 and 3 on Plan 65R-20959.

Fifty-sixthly **Part of PIN 03270-0583(LT)**
Part of Lots 9 and 10, Concession 2 (formerly in the Geographic Township of Vaughan), designated as Parts 3 and 4 on Plan 65R-20957.

(B) in the Town of Markham, in the Regional Municipality of York, consisting of:

Firstly **Part of PIN 02988-0086(R)**
Part of Lots 7 and 8, Concession 5, designated as Parts 1, 2, 3, 4, 5 and 6, on Plan 65R-21205 (formerly in the Geographic Township of Markham, County of York).

Secondly **Part of PIN 02988-0088(R)**
Part of Lots 7 and 8, Concession 5, designated as Parts 8, 9 and 10 on Plan 65R-21205 (formerly in the Geographic Township of Markham, County of York).

Thirdly **Part of PIN 02963-0001(R), all of PIN 02963-0053(R) and Part of PIN 02963-0052(R)**
Part of Lots 7 and 8, Concession 6, designated as Part 2 on Plan 65R-21206 (formerly in the Geographic Township of Markham, County of York).

Fourthly **PIN 02963-0303(R)**
Part of Lot 8, Concession 6 (formerly in the Geographic Township of Markham, County of York), designated as Part 3 on Plan 65R-21206.

Fifthly **PIN 02963-0304(R)**
Part of Lot 8, Concession 6 (formerly in the Geographic Township of Markham, County of York), designated as Part 4 on Plan 65R-21206.

Sixthly **PIN 02963-0302(R)**
Part of Lots 8 and 9, Concession 6 (formerly in the Geographic Township of Markham, County of York), designated as Part 5 on Plan 65R-21206.

Seventhly **Part of PIN 02963-0001(R) and 02963-0052(R)**
Part of Lots 7 and 8, Concession 6 (formerly in the Geographic Township of Markham, County of York), designated as Part 6 on Plan 65R-21206.

Eighthly **Part of PIN 02963-0052(R), Part of PIN 02963-0001(R), Part of PIN 02963-0276(R), Part of PIN 02963-0296(R), all of PINs 02963-0284 and 02963-0297(R) and all of PIN 02963-0293(R)**
Part of Lot 7, Concession 6, Part of Lots 7, 8, 9, 10, 11 and 12, part of unnamed road and one foot reserve, Plan 2196 (formerly in the Geographic Township of Markham, County of York), designated as Part 7 on Plan 65R-21206.

Ninthly **PIN 03031-0078(R)**
Part of Lot 8, Concession 3, designated as Part 2 on Plan 65R-21218 (formerly in the Geographic Township of Markham, County of York).

Tenthly **PIN 03031-0074(R)**
Part of Lot 8, Concession 3 (formerly in the Geographic Township of Markham, County of York), designated as Part 3 on Plan 65R-21218.

- Eleventhly** **PIN 03031-0080(R)**
Part of Lot 8, Concession 3 (formerly in the Geographic Township of Markham, County of York), designated as Part 4 on Plan 65R-21218.
- Twelfthly** **PIN 03031-0019(R)**
Part of Lot 8, Concession 3 (formerly in the Geographic Township of Markham, County of York), designated as Part 5 on Plan 65R-21218.
- Thirteenthly** **Part of PIN 03031-0099(R)**
Part of Lot 7, Concession 3 (formerly in the Geographic Township of Markham, County of York), designated as Part 10 on Plan 65R-12128.
- Fourteenthly** **Part of PIN 02916-0781(R)**
Part of the road allowance between Concessions 6 and 7, and Part of Lot 8, Concession 7, designated as Part 1 on Plan 65R-21220.
- Fifteenthly** **Part of PIN 03033-0028(R)**
Part of Lots 7 and 8, Concession 4, (formerly in the Geographic Township of Markham, County of York), designated as Parts 1, 2 and 3 on Plan 65R-21230.
- Sixteenthly** **Part of PIN 03032-0102(R)**
Part of Lot 8, Concession 4, (formerly in the Geographic Township of Markham, County of York), designated as Part 4 on Plan 65R-21230.
- Seventeenthly** **PIN 02963-0277(R)**
Part of the road allowance between Concessions 5 and 6 and Part of Lot 12, Plan 2196, (formerly in the Geographic Township of Markham, County of York) designated as Part 1 on Plan 65R-21229.
- Eighteenthly** **Part of PIN 02988-0030(R)**
Part of the road allowance between Concessions 4 and 5, Part of Lots 7 and 8, Concession 5, Part of Lots 7 and 8, Concession 4 (formerly in the Geographic Township of Markham, County of York), designated as Part 1 on Plan 65R-21249.
- Nineteenthly** **Part of PIN 03032-0063(R)**
Part of the road allowance between Concessions 3 and 4, Part of Lots 7 and 8, Concession 3, Part of Lots 8 and 9, Concession 4 (formerly in the Geographic Township of Markham, County of York), designated as Part 1 on Plan 65R-21248.
- Twentiethly** **PIN 03029-1112(R)**
Part of the road allowance between Lots 35 and 36, Concession 1 and Part of Lot 77, Plan 2386, (formerly in the Geographic Township of Markham), designated as Part 7 on Plan 65R-21265.
- Twenty-firstly** **Part of PIN 03028-0094 (R)**
Part of Lot 35, Concession 1, Part of Lots 75, 76, 78, 79 and 80, Part of Lot 74, Part of Lots 67 to 70, both inclusive, Part of Lots 74 to 76, both inclusive, Lots 78 to 80, both inclusive, 82 and 83 and all of Lots 71 to 73, both inclusive, Plan 2386, (formerly in the Geographic Township of Markham), designated as Parts 8, 9, 10, 11 and 12 on Plan 65R-21265.

- Twenty-secondly** **Part of PIN 03028-0793(R)**
Part of Sussex Avenue, Plan 2386, designated as Part 13 on Plan 65R-21265.
- Twenty-thirdly** **Part of PIN 03028-0080(R)**
Part of Lot 66, Plan 2386, designated as Part 14 on Plan 65R-21265.
- Twenty-fourthly** **Part of PIN 03028-0815**
Part of Lots 65 and 66, Plan 2386, designated as Parts 15 and 16 on Plan 65R-21265.
- Twenty-fifthly** **Part of PIN 03028-0014(R)**
Part of Lots 29 to 36, both inclusive, Plan 2386, designated as Part 17 on Plan 65R-21265.
- Twenty-sixthly** **Part of PIN 03028-0797(R)**
Part of Church Street, Plan 2386, designated as Part 18 on Plan 65R-21265.
- Twenty-seventhly** **Part of PINs 03028-0816(R), 03029-0817(R), 03028-0001(R), 03028-0819(R), 03028-0820(R), 03028-0823(R), 03028-0824(R), 03028-0825(R)**
Part of Lots 1, 2, 3, 4, 5, 6, 7, 8, 23, 24, 25 and 26, Plan 2386, designated as Part 19 on Plan 65R-21265.
- Twenty-eighthly** **Part of PIN 03028-0799(R), 03028-0001(R), 03028-0819(R), 03028-0820(R), 03028-0822(R), 03029-0823(R), 03028-0824(R), 03028-0825(R)**
Part of Lots 1, 2, 3, 4, 5, 6, 7, 8 to 11, both inclusive, 21, 22, 23, 24, 25 and 26, Plan 2386, designated as Part 20 on Plan 65R-21265.
- Twenty-ninthly** **Part of PIN 03029-0001(R)**
Part of the road allowance between Concession 1 and 2 and Part of Lot 10, Concession 2, (formerly in the Geographic Township of Markham), designated as Part 1 on Plan 65R-21267.
- Thirtiethly** **Part of PIN 03029-0826(R)**
Part of Lots 1 and 2, Registered Plan 2607, Part of Lot 11, Concession 2, (formerly in the Geographic Township of Markham), designated as Part 3 on Plan 65R-21267.
- Thirty-firstly** **Part of PIN 02916-0594(R)**
Part of Lots 7 and 8, Concession 7, designated as Part 1 on Plan 65R-21212 (formerly in the the Geographic Township of Markham, County of York)
- Thirty-secondly** **Part of PIN 03032-0072(LT)**
Part of Lot 8, Concession 4, (formerly in the Geographic Township of Markham, County of York), designated as Part 5 on Plan 65R-21230.
- Thirty-thirdly** **PIN 02963-0670 (LT)**
Part of Lot 8, Concession 6, designated as Part 1 on Plan 65R-21206 (formerly in the Geographic Township of Markham, County of York).

Thirty-fourthly	PIN 03031-0079(LT) All of Units 1 to 14, both inclusive, Expropriation Plan D-84 (formerly in the Geographic Township of Markham, County of York), designated as Part 1 on Plan 65R-21218.
Thirty-fifthly	PIN 03031-0109(LT) Part of Lot 8, Concession 3 (formerly in the Geographic Township of Markham), designated as Part 6 on Plan 65R-21218.
Thirty-sixthly	PIN 03031-0105(LT) Part of Lots 7 and 8, Concession 3 (formerly in the Geographic Township of Markham), designated as Part 7 on Plan 65R-21218.
Thirty-seventhly	PIN 03031-0088(LT) Part of Lots 7 and 8, Concession 3 (formerly in the Geographic Township of Markham), designated as Part 8 on Plan 65R-21218.
Thirty-eighthly	PIN 03031-0096(LT) Part of Lots 7 and 8, Concession 3 (formerly in the Geographic Township of Markham), designated as Part 9 on Plan 65R-21218.
Thirty-ninthly	Part of PIN 03031-0089(LT) Part of Lot 7, Concession 3 (formerly in the Geographic Township of Markham), designated as Parts 11, 16 and 17 on Plan 65R-21218.
Fortiethly	Part of PIN 03001-0164(LT) Part of Lot 7, Concession 3 (formerly in the Geographic Township of Markham), designated as Part 12 on Plan 65R-21218.
Forty-firstly	PIN 03001-0109(LT) Block 88, Plan 65M-2481, designated as Part 13 on Plan 65R-21218.
Forty-secondly	PIN 03031-0063(LT) Block 23, Plan 65M-2073, designated as Part 14 on Plan 65R-21218.
Forty-thirdly	PIN 03031-0001(LT) Block 21, Plan 65M-2326, designated as Part 15 on Plan 65R-21218.
Forty-fourthly	Part of PIN 03030-0035(LT) Part of Lots 7 and 8, Concession 3 (formerly in the Geographic Township of Markham, County of York), designated as Parts 2, 5, 6 and 7 on Plan 65R-21236.
Forty-fifthly	Part of PIN 03030-0037(LT) Part of Lot 9, Concession 3 (formerly in the Geographic Township of Markham, County of York), designated as Parts 1, 3 and 4 on Plan 65R-21236.
Forty-sixthly	Part of PIN 03001-0164(LT) Part of Lot 7, Concession 3 (formerly in the Geographic Township of Markham, County of York), designated as Part 8 on Plan 65R-21236.

- Forty-seventhly** **Part of PIN 03001-0121(LT)**
Part of Block 105, Plan 65M-2291, designated as Part 9 on Plan 65R-21236.
- Forty-eighthly** **Part of PIN 03029-0751(LT)**
Part of Block 97, Plan M-1946, designated as Part 1 on Plan 65R-21234.
- Forty-ninthly** **Part of PIN 03030-0001(LT)**
Part of the road allowance between Concessions 2 and 3, Part of Lots 8 and 9, Concession 2 and Part of Lots 8 and 9, Concession 3 (formerly in the Geographic Township of Markham, County of York), designated as Part 1 on Plan 65R-21247.

(C) In the City of Vaughan and in the Town of Markham, in the Regional Municipality of York, consisting of:

- Firstly** **Part of PIN 03028-0799(R)**
Part of Lot 35, Concession 1, (Vaughan), part of the road allowance between the Townships of Markham and Vaughan, Part of the 10' widening, Plan 2386, designated as Part 1 on Plan 65R-21266.

(D) In the Town of Richmond Hill, in the Regional Municipality of York, consisting of:

- Firstly** **Part of PIN 03100-0380(LT)**
Part of the road allowance between the Townships of Markham and Vaughan, designated as Part 2 on Plan 65R-21266.
- Secondly** **Part of PIN 03100-0380(LT)**

Part of Lot 36, Concession 1, part of the road allowance between Lots 35 and 36, Concession 1, Part of Lots 16 to 22, both inclusive, Part of Lane, Part of Ten Foot Widening, Plan 3693 (formerly Township of Vaughan), designated as Part 17 on Plan 65R-21259.
- Thirdly** **Part of PIN 03100-0358(LT)**

Part of Lot 36, Concession 1, Part of Lots 19, 20 and 21, Plan 3693 (formerly Township of Vaughan), designated as Parts 18 and 19 on Plan 65R-21259.
- Fourthly** **Part of PIN 03100-0356(LT)**

Part of Lots 13, 17 and 18, Plan 3693, designated as Parts 21 and 24 on Plan 65R-21259.
- Fifthly** **Part of PIN 03109-1053(LT)**
Part of the road allowance between the Townships of Markham and Vaughan, Part of Lot 36, Concession 1, (Township of Markham), designated as Part 3 on Plan 65R-21266.

- Sixthly** **Part of PIN 03109-1026(LT)**
Part of Lot 36, Concession 1, (formerly in the Geographic Township of Markham), designated as Part 4 on Plan 65R-21265.
- Seventhly** **Part of PIN 03109-1083(LT)**
Part of Lot 36, Concession 1, (formerly in the Geographic Township of Markham), designated as Part 5 on Plan 65R-21265.
- Eighthly** **Part of PIN 03109-1082(LT)**
Part of Lot 36, Concession 1 and part of the road allowance between Lots 35 and 36, Concession 1, (formerly in the Geographic Township of Markham), designated as Part 6 on Plan 65R-21265.
- Ninthly** **Part of PIN 03109-0030(R)**
Part of Lot 36, Concession 1 (formerly in the Geographic Township of Markham), designated as Parts 25 and 26 on Plan 65R-21265.
- Part of Lot 36, Concession 1, (formerly in the Geographic Township of Markham), designated as Parts 1, 2 and 3 on Plan 65R-21265;

(E) In the Town of Richmond Hill and in the Town of Markham, in the Regional Municipality of York, consisting of:

- Firstly** **Part of PIN 03028-0094(R)**
Part of Lot 35, Concession 1, Part of Lots 78, 79 and 80, Plan 2386, (formerly in the Geographic Township of Markham), designated as Parts 2, 4 and 5 on Plan 65R-21267.

(F) in the City of Mississauga, in the Regional Municipality of Peel, consisting of:

- Firstly** **Part of PIN 13404-0112 (LT)**
Part of Lots 1 and 5 on Registrar's Compiled Plan 1542, designated as Parts 1, 2, 3, 4 and 5 on Plan 43R-23415.
- Secondly** **Part of PIN 13518-0425 (LT)**
Part of Lot 14, Concession 10, New Survey, and designated as Part 1 on Plan 43R-23417.

(G) in the City of Brampton, in the Regional Municipality of Peel consisting of:

- Firstly** **Part of PIN 14089-0003(R)**
Part of Lots 13 and 14, Concession 5, West of Hurontario Street (formerly in the Geographic Township of Toronto), designated as Parts 1, 2, 3, 4 and 5 on Plan 43R-23413.

- Secondly** **Part of PIN 14089-0186(R)**
Part of Lots 13 and 14, Concession 5, West of Hurontario Street (formerly in the Geographic Township of Toronto), designated as Parts 6, 7 and 8 on Plan 43R-23413.
- Thirdly** **Part of PIN 14089-0175(R)**
Part of Lots 14 and 15, Concession 6, West of Hurontario Street (formerly in the Geographic Township of Toronto, County of Peel), designated as Parts 1, 2 and 3 on Plan 43R-23414.
- Fourthly** **Part of PIN 14300-0019(R)**
Part of Lot 12, Concession 2, East of Hurontario Street (formerly in the Geographic Township of Chinguacousy), designated as Part 4 on Plan 43R-23509.
- Fifthly** **Part of PIN 14300-0020(R)**
Part of Lot 12, Concession 2, East of Hurontario Street (formerly in the Geographic Township of Chinguacousy), designated as Parts 5, 6, 7, 8 and 9 on Plan 43R-23509.
- Sixthly** **Part of PIN 14022-0047(R)**
Part of Lot 1, Concession 7, Northern Division (formerly in the Geographic Township of Toronto), designated as Parts 1, 2 and 3 on Plan 43R-23513.
- Seventhly** **Part of PIN 14022-0047(R)**
Part of Lots 1 and 2, Concession 7, Northern Division (formerly in the Geographic Township of Toronto Gore), designated as Part 8 on Plan 43R-23523.
- Eighthly** **PIN 14085-0146(LT)**
Part of Lot 13, Concession 3, West of Hurontario Street (formerly in the Geographic Township of Toronto), designated as Parts 1 and 2 on Plan 43R-23411
- Ninthly** **Part of PIN 14085-0106(LT)**

Part of Lot 13, Concession 3, West of Hurontario Street (formerly in the Geographic Township of Toronto), designated as Parts 5, 6, 7, 8, 9, 10, 11, 12 and 13 on Plan 43R-23411.
- Tenthly** **PIN 14085-1803(LT)**
Part of Lots 13 and 14, Concession 4, West of Hurontario Street (formerly in the Geographic Township of Toronto, County of Peel), designated as Parts 1, 2 and 3 on Plan 43R-23412.
- Eleventhly** **PIN 14085-0164(LT)**
Part of Lot 12, Concession 4, West of Hurontario Street (formerly in the Geographic Township of Toronto), designated as Parts 4 and 5 on Plan 43R-23412
- Twelfthly** **PIN 14085-0288(LT)**
Part of Lot 12, concession 4, West of Hurontario Street, (formerly in the Geographic Township of Toronto), designated as Parts 6, 7 and 8 on Plan 43R-23412.

- Thirteenthly** **Part of PIN 14021-0283(LT)**
Part of Lot 1, Concession 9, Northern Division, Geographic Township of Toronto Gore, designated as Part 1 on Plan 43R-23502.
- Fourteenthly** **Part of PIN 14021-0274(LT)**
Part of Lots 1 and 2, Concession 8, Northern Division and Part of Lots 1 and 2, Registered Plan 378 (formerly in the Geographic Township of Toronto Gore), designated as Parts 1, 2 and 3 on Plan 43R-23506.
- Fifteenthly** **Part of PIN 14021-0278(LT)**
Part of Lot 1, Concession 8, Northern Division and Part of Lots 3 and 4, Plan 378 (formerly in the Geographic Township of Toronto Gore), designated as Part 4 on Plan 43R-23506.
- Sixteenthly** **Part of PIN 14021-0277(LT)**
Part of Lot 1, Concession 8, Northern Division (formerly in the Geographic Township of Toronto Gore), designated as Part 5 on Plan 43R-23506.
- Seventeenthly** **PIN 14021-0279(LT)**
Part of Lot 1, Concession 8, Northern Division (formerly in the Geographic Township of Toronto Gore), designated as Part 6 on Plan 43R-23506.
- Eighteenthly** **PIN 14022-0076(LT)**
Part of Lot 1, Concession 7, Northern Division (formerly in the Geographic Township of Toronto), designated as Part 4 on Plan 43R-23513.
- Nineteenthly** **Part of PIN 14022-0072(LT)**
Part of Block 12, Plan 43M-931 (formerly in the Geographic Township of Toronto Gore), designated as Parts 2, 11 and 12 on Plan 43R-23514.
- Twentiethly** **PIN 14022-0018(R)**
Part of Lot 1, Concession 7, Northern Division (formerly in the Geographic Township of Toronto Gore), designated as Part 4 on Plan 43R-23514.
- Twenty-firstly** **PIN 14022-0019(LT)**
Part of Block 3, Plan 43M-891 (formerly in the Geographic Township of Toronto Gore), designated as Part 5 on Plan 43R-23514.
- Twenty-secondly** **PIN 14022-0021(LT)**
Part of Block 2, Plan 43M-891 (formerly in the Geographic Township of Toronto Gore), designated as Part 6 on Plan 43R-23514.
- Twenty-thirdly** **Part of PIN 14025-0140(LT)**
Part of Block 18 on Registered Plan 43M-643 (formerly in the Geographic Township of Chinguacousy), designated as Parts 1, 7, 8, 9, 10, 11, 12, 13 and 14 on Plan 43R-23495 .
- Twenty-fourthly** **PIN 14025-0187(LT)**
Part of Block 19, Plan 43M-643 (formerly in the Geographic Township of Chinguacousy), designated as Part 2 on Plan 43R-23495.
- Twenty-fifthly** **PIN 14025-0138(LT)**
Part of Block 16, Plan 43M-643 (formerly in the Geographic Township of Chinguacousy), designated as Parts 3, 4 and 5 on Plan 43R-23495.

- Twenty-sixthly** **Part of PIN 14026-0208(LT)**
Part of Lot 15, Concession 6, East of Hurontario Street (formerly in the Geographic Township of Toronto), designated as Parts 1, 2 and 3 on Plan 43R-23500.
- Twenty-seventhly** **Part of PINs 14026-0051(LT)**
Part of Block A, Plan M-94 (formerly in the Street Geographic Township of Chinguacousy), designated as Parts 1, 2 and 3 on Plan 43R-23501.
- Twenty-eighthly** **Part of PIN 14026-0172(LT)**
Part of Lot 15, Concession 5, East of Hurontario Street (formerly in the Geographic Township of Chinguacousy), designated as Parts 4 and 5 on Plan 43R-23501.
- Twenty-ninthly** **Part of PIN 14026-0011(LT)**
Part of Lot 14, Concession 5, East of Hurontario Street (formerly in the Geographic Township of Chinguacousy), designated as Parts 6 and 7 on Plan 43R-23501.
- Thirtiethly** **Part of PINs 14026-0004(LT)**
Part of Lots 14 and 15, Concession 5, East of Hurontario Street (formerly in the Geographic Township of Chinguacousy), designated as Parts 1, 3 and 7 on Plan 43R-23503.
- Thirty-firstly** **PIN 14026-0184(LT)**
Part of Lot 14, Concession 5, East of Hurontario Street (formerly in the Geographic Township of Chinguacousy), designated as Parts 2 and 4 on Plan 43R-23503.
- Thirty-secondly** **PIN 14026-0174(LT)**
Part of Lot 14, Concession 5, East of Hurontario Street (formerly in the Geographic Township of Chinguacousy), designated as Parts 8 and 9 on Plan 43R-23503.
- Thirty-thirdly** **Part of PIN 14026-0173(LT)**
Part of Lot 14, Concession 5, East of Hurontario Street (formerly in the Geographic Township of Chinguacousy), designated as Parts 5, 6 and 10 on Plan 43R-23503.
- Thirty-fourthly** **PIN 14028-0308(LT)**
Part of Lot 14, Concession 4, East of Hurontario Street (formerly in the Geographic Township of Chinguacousy), designated as Part 1 on Plan 43R-23481.
- Thirty-fifthly** **PIN 14028-0305(LT)**
Part of Lot 14, Concession 4, East of Hurontario Street (formerly in the Geographic Township of Chinguacousy), designated as Part 3 on Plan 43R-23481.
- Thirty-sixthly** **Part of PIN 14028-0139(LT)**
Part of Lots 13 and 14, Concession 4, East of Hurontario Street (formerly in the Geographic Township of Chinguacousy), designated as Parts 4, 5 and 6 on Plan 43R-23481.

- Thirty-seventhly** **Part of PIN 14028-0113(LT)**
Part of Lots 13 and 14, Concession 3, East of Hurontario Street (formerly in the Geographic Township of Chinguacousy), designated as Part 1 on Plan 43R-23508.
- Thirty-elghthly** **PIN 14028-0154(LT)**
Part of Block G, Registered Plan M-269 (formerly in the Geographic Township of Chinguacousy), designated as Part 2 on Plan 43R-23508.
- Thirty-ninthly** **PIN 14028-0164(LT)**
Part of Block U, Registered Plan M-269 (formerly in the Geographic Township of Chinguacousy), designated as Part 3 on Plan 43R-23508.
- Fortiethly** **PIN 14028-0168(LT)**
Part of Block E, Registered Plan M-269 (formerly in the Geographic Township of Chinguacousy), designated as Part 4 on Plan 43R-23508.
- Forty-firstly** **PIN 14028-0165(LT)**
Block J, Registered Plan M-269 (formerly in the Geographic Township of Chinguacousy), designated as Part 5 on Plan 43R-23508.
- Forty-secondly** **PIN 14028-0363(LT)**
Part of Block E, Registered Plan M-269 (formerly in the Geographic Township of Chinguacousy), designated as Part 6 on Plan 43R-23508.
- Forty-thirdly** **Part of PIN 14028-0357(LT)**
Part of Block V, Registered Plan M-269 (formerly in the Geographic Township of Chinguacousy), designated as Part 7 on Plan 43R-23508.
- Forty-fourthly** **Part of PIN 14028-0170(LT)**
Part of Block E, Registered Plan M-269 (formerly in the Geographic Township of Chinguacousy), designated as Part 8 on Plan 43R-23508.
- Forty-fifthly** **Part of PIN 14028-0344(LT)**
Part of Lots 12 and 13, Concession 3, East of Hurontario (formerly in the Geographic Township of Chinguacousy), designated as Parts 1, 2 and 3 on Plan 43R-23509.
- Forty-sixthly** **Part of PIN 14029-1254(LT)**
Part of Lots 12 and 13, Concession 1, East of Hurontario Street (formerly in the Geographic Township of Toronto), designated as Parts 1, 8, 9, 10, 11, 12, 13, 14, 15 and 16 on Plan 43R-23505.
- Forty-seventhly** **Part of PIN 14029-0040(LT)**
Part of Block 230, Registered Plan 43M-614 (formerly in the Geographic Township of Toronto), designated as Part 2 on Plan 43R-23505.
- Forty-eighthly** **Part of PIN 14029-0039(LT)**
Part of Block 229, .3m reserve, Registered Plan 43M-614 (formerly in the Geographic Township of Toronto), designated as Part 3 on Plan 43R-23505.
- Forty-ninthly** **PIN 14029-1187(LT)**
Block 228, .3m reserve, Registered Plan 43M-614 (formerly in the Geographic Township of Toronto), designated as Part 4 on Plan 43R-23505.

Fiftiethly	PIN 14029-1188(LT) Block 231, Registered Plan 43M-614 (formerly in the Geographic Township of Toronto), designated as Part 5 on Plan 43R-23505.
Fifty-firstly	PIN 14029-0127(LT) Block 187, Registered Plan 43M-615 (formerly in the Geographic Township of Toronto), designated as Part 6 on Plan 43R-23505.
Fifty-secondly	Part of PIN 14029-0126(LT) Part of Block 186, .3m reserve, Registered Plan 43M-615 (formerly in the Geographic Township of Toronto), designated as Parts 7 and 17 on Plan 43R-23505.
Fifty-thirdly	Part of PIN 14080-0908(LT) Part of Lots 12 and 13, Concession 1, West of Hurontario Street (formerly in the Geographic Township of Chinguacousy), designated as Part 1 on Plan 43R-23504.
Fifty-fourthly	Part of PIN 14080-1124(LT) Part of Lots 12 and 13, Concession 1, West of Hurontario Street (formerly in the Geographic Township of Chinguacousy), designated as Parts 2, 5 and 6 on Plan 43R-23504.
Fifty-fifthly	Part of PIN 14080-0905(LT) Part of Lots 12 and 13, Concession 1, West of Hurontario Street (formerly in the Geographic Township of Chinguacousy), designated as Parts 3, 4, 7, 8, 9 and 10 on Plan 43R-23504.
Fifty-sixthly	PIN 14080-0906(LT) Part of Lot 12, Concession 1, West of Hurontario Street (formerly in the Geographic Township of Chinguacousy), designated as Part 11 on Plan 43R-23504.
Fifty-seventhly	PIN 14080-1126(LT) Part of Lot 12, Concession 1, West of Hurontario Street (formerly in the Geographic Township of Chinguacousy), designated as Part 12 on Plan 43R-23504.
Fifty-eighthly	Part of PIN 14080-1122(LT) Part of Lot 12, Concession 1, West of Hurontario Street (formerly in the Geographic Township of Chinguacousy), designated as Part 13 on Plan 43R-23504.
Fifty-ninthly	Part of PIN 14080-1123(LT) Part of Lot 12, Concession 1, West of Hurontario Street (formerly in the Geographic Township of Chinguacousy), designated as Part 14 on Plan 43R-23504.
Sixtiethly	PIN 14084-1972(LT) Part of Lot 13, Concession 2, West of Hurontario Street (formerly in the, Geographic Township of Toronto), designated as Part 3 on Plan 43R-23497.

- Sixty-firstly** **PIN 14084-1894(LT)**
Block 204, Registered Plan 43M-1160 (formerly in the Geographic Township of Toronto), designated as Part 4 on Plan 43R-23497.
- Sixty-secondly** **Part of PIN 14084-2099(LT)**
Part of Lot 13, Concession 2, West of Hurontario Street (formerly in the Geographic Township of Toronto), designated as Parts 5, 6 and 7 on Plan 43R-23497.

(H) in the Town of Milton, in the Regional Municipality of Halton, consisting of:

- Firstly** **Part of PIN 24931-0130 (LT)**
Part of Lots 1 and 2, Concession 9, New Survey, designated as Parts 1 and 2 on Plan 20R-13131.
Part of Lots 3 and 4, Concession 9, New Survey, designated as Parts 1, 2 and 3 on Plan 20R-13129.
Part of Lot 5, Concession 9, New Survey, designated as Parts 8, 9 and 10 on Plan 20R-13127.
- Secondly** **Part of PIN 24938-0024 (LT)**
Part of Lots 6, 7 and 8, Concession 9, New Survey, designated as Parts 1, 2, 4, 5, 6 and 7 on Plan 20R-13127, and Part 1 on Plan 20R-13134.
Part of Lots 9 and 10, Concession 9, New Survey, designated as Parts 2, 3, 4, 5, 6, 7, 8, 9, 10, 16, 17, 18, 19, 20 and 21 on Plan 20R-13132.
Part of Lot 10, Concession 9, New Survey, designated as Part 1 on Plan 20R-13132.
- Thirdly** **Part of PIN 24939-0079 (LT)**
Part of Lots 11 and 12, Concession 9, New Survey, designated as Parts 1, 2, 3, 5, 6 and 7 on Plan 20R-13130.
- Fourthly** **Part of PIN 24939-0096 (LT)**
Part of Lot 11, Concession 9, New Survey, designated as Parts 4 and 8 on Plan 20R-13130.
- Fifthly** **Part of PIN 24939-0069 (LT)**
Part of Lot 14, Concession 9, New Survey, designated as Part 1 on Plan 20R-13133.
- Sixthly** **Part of PIN 24939-0074 (LT)**
Part of Lot 13, Concession 9, New Survey, designated as Parts 2, 3, 4, 5 and 6 on Plan 20R-13133.
- Seventhly** **Part of PIN 24939-0099 (LT).**
Part of Lots 12 and 13, Concession 9, New Survey, designated as Part 7 on Plan 20R-13133.
- Eighthly** **Part of PIN 24930-0097 (LT)**
Part of Lots 2, 3 and 4, on Registered Plan 162 and designated as Part 2 on Plan 20R-13128.

- Ninthly** **Part of PIN 24930-0081 (LT)**
Part of Lot 7, Concession 2, North of Dundas Street (Trafalgar) and Part of Lots 6, 7, 8 and 9 on Registered Plan 162, designated as Parts 6, 7, 8 and 9 on Plan 20R-13128.
- Tenthly** **Part of PIN 24930-0043 (LT)**
Part of Lot 6, Concession 2, North of Dundas Street (Trafalgar), designated as Parts 15 to 28 (Both Inclusive), and Part 33 on Plan 20R-13128.
- Eleventhly** **Part of PIN 24930-0099 (LT)**
Part of Lot 1, on Registered Plan 162 and designated as Part 1 on Plan 20R-13128.
- Twelfthly** **Part of PIN 24930-0046 (LT)**
Part of Lot 5, on Registered Plan 162 and designated as Part 3 on Plan 20R-13128.
- Thirteenthly** **Part of PIN 24930-0085 (LT)**
Part of Lot 10 on Registered Plan 162 and designated as Parts 4 and 5 on Plan 20R-13128.
- Fourteenthly** **Part of PIN 24930-0101 (LT)**
Part of Lot 7, Concession 2, North of Dundas Street (Trafalgar) and designated as Part 10 on Plan 20R-13128.
- Fifteenthly** **PIN 24930-0045 (LT)**
Part of Lot 6, Concession 2, North of Dundas Street (Trafalgar) and designated as Part 14 on Plan 20R-13128.
- Sixteenthly** **Part of PIN 24930-0102 (LT)**
Part of Lot 6, Concession 2, North of Dundas Street (Trafalgar) and designated as Parts 29, 30 and 31 on Plan 20R-13128.
- Seventeenthly** **PIN 24931-0121 (LT)**
Part of Lot 5, Concession 9, New Survey and designated as Parts 11 and 12 on Plan 20R-13127.
- Eighteenthly** **PIN 24938-0068 (LT)**
Part of Lot 6, Concession 9, New Survey and designated as Part 3 on Plan 20R-13127.

(I) In the Town of Halton Hills, in the Regional Municipality of Halton, consisting of:

- Firstly** **PIN 25026-0142(LT)**
Part of Lot 15, Concession 10, New Survey (Trafalgar), designated as Part 1 on Plan 20R-13136.
- Secondly** **PIN 25026-0145(LT)**
Part of Lot 15, Concession 11, New Survey (Trafalgar), designated as Part 8 on Plan 20R-13136.

- Thirdly** **Part of PIN 25026-0132(LT)**
Part of Lots 14 and 15, Concession 11, New Survey (Trafalgar), designated as Part 2 on Plan 20R-13136.
- Fourthly** **Part of PIN 25026-0120(LT)**
Part of Lots 14 and 15, Concession 11, New Survey (Trafalgar), designated as Part 5 on Plan 20R-13136.
- Fifthly** **PIN 25026-0121(LT)**
Part of Lot 15, Concession 11, New Survey (Trafalgar), designated as Part 6 on Plan 20R-13136.
- Sixthly** **PIN 25026-0154(LT)**
Part of Lot 15, Concession 11, New Survey (Trafalgar), designated as Part 7 on Plan 20R-13136.
- Seventhly** **PIN 25026-0144(LT)**
Part of Lot 14, Concession 10, New Survey (formerly in the Geographic Township of Trafalgar), designated as Part 3 on Plan 20R-13136.
- Eighthly** **Part of PIN 24939-0086(LT)**
Part of Lot 15, Concession 9, New Survey (formerly in the Geographic Township of Trafalgar), designated as Parts 1 and 2 on Plan 20R-13135.
- Ninthly** **PIN 24939-0100(LT)**
Part of Lot 15, Concession 9, New Survey (formerly in the Geographic Township of Trafalgar), designated as Part 3 on Plan 20R-13135.
- Tenthly** **PIN 25026-0143(LT)**
Part of Lot 15, Concession 10, New Survey (formerly in the Geographic Township of Trafalgar) designated as Part 4 on Plan 20R-13135.

21/99

ONTARIO REGULATION 306/99
made under the
PLANNING ACT

Made: May 5, 1999
Filed: May 5, 1999

**DEEMING ORDER—SAULT STE. MARIE NORTH
PLANNING BOARD**

1. (1) Ontario Regulation 279/80, as it read immediately before its revocation on May 5, 1999, shall be deemed to be and to always have been a by-law of the Sault Ste. Marie North Planning Board in respect of the land in the planning area.

(2) The deemed by-law shall be referred to as by-law number 1999-01 of the Sault Ste. Marie North Planning Board.

2. Ontario Regulation 279/80, as amended, is revoked.

PAULA M. DILL
Assistant Deputy Minister
Provincial-Municipal Relations Division
Ministry of Municipal Affairs and Housing

Dated on May 5, 1999.

21/99

ONTARIO REGULATION 307/99
made under the
EDUCATION ACT

Made: May 4, 1999
Filed: May 5, 1999

Amending O. Reg. 400/98
(Tax Rates for School Purposes)

Note: Since the end of 1998, Ontario Regulation 400/98 has been amended by Ontario Regulation 79/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. (1) Subsection 1 (1) of Ontario Regulation 400/98 is amended by striking out "0.46 per cent" and substituting "0.414 per cent".

(2) Subsection 1 (2) of the Regulation is amended by striking out "0.115 per cent" and substituting "0.1035 per cent".

2. This Regulation applies to the 1999 and subsequent taxation years.

ERNE EVES
Minister of Finance

Dated on May 4, 1999.

21/99

ONTARIO REGULATION 308/99
made under the
EDUCATION ACT

Made: April 27, 1999
Filed: May 5, 1999

Amending O. Reg. 400/98
(Tax Matters—Tax Rates for School Purposes)

Note: Since the end of 1998, Ontario Regulation 400/98 has been amended by Ontario Regulations 79/99 and 307/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Ontario Regulation 400/98 is amended by adding the following section:

BUSINESS PROPERTY IN MUNICIPALITIES

4. (1) This section applies with respect to business property, as defined in section 257.5 of the Act, other than property described in clause (c) of that definition and property in the pipeline property class, so long as that business property is within a municipality or is deemed under section 56 or subsection 58.1 (2) of the Act to be attached to a municipality.

(2) Subject to subsections (3) and (4), the tax rate for school purposes set for 1998 by a municipality other than a lower tier municipality is prescribed as the tax rate for school purposes for that municipality for 1999, for the purposes of section 257.7 of the Act.

(3) Subject to subsection (4), if Division C of Part XXII.2 of the *Municipal Act* applies with respect to the municipality, the tax rate for 1999 shall be equal to 98 per cent of the tax rate for school purposes set for 1998.

(4) If the weighted average tax rate for 1998 for each of the commercial classes and industrial classes, as determined under paragraph 1 of subsection 257.12.2 (6) of the Act, exceeds 3.3 per cent, the tax rate

determined under subsection (2) or (3) shall be reduced for 1999 by an amount equal to one-seventh of the difference between the tax rate set for 1998 and 3.3 per cent.

(5) The definitions set out in subsection 257.12.2 (9) of the Act apply for the purposes of this section.

(6) In addition to the reduction provided under subsection (4), the tax rate for 1999 in the City of Brockville shall be reduced,

- (a) for property in the industrial property class, by 0.1922 per cent; and
- (b) for property in the large industrial property class, by 0.2477 per cent.

(7) In addition to the reduction provided under subsection (4), the tax rate for 1999 in the City of Belleville shall be reduced for property in the industrial property class by 0.3206 per cent.

2. Table 2 of the Regulation is amended by striking out the row for "Moosonee Dev Area Bd" under the heading "Cochrane D" and substituting the following:

	Commercial Property Class	Industrial Property Class	Pipeline Property Class
Moosonee Dev Area Bd	0.008378	0.014745	0.000000

ERNE EVES
Minister of Finance

Dated on April 27, 1999.

21/99

ONTARIO REGULATION 309/99
made under the
ONTARIO PLANNING AND DEVELOPMENT ACT, 1994

Made: May 5, 1999
Filed: May 6, 1999

Amending O. Reg. 484/73

County of Wentworth (now The Regional Municipality of Hamilton-Wentworth), Township of West Flamborough
(now the Township of Flamborough)

Note: Ontario Regulation 484/73 has previously been amended. Those amendments are listed in the Tables of Regulations in the Statutes of Ontario, 1991 and the Statutes of Ontario, 1998.

1. Section 2 of Ontario Regulation 484/73 is revoked and the following substituted:

2. This order applies to the following lands in the Township of West Flamborough in the Regional Municipality of Hamilton-Wentworth:

1. Lot 18 in Concession I excepting the following parcels of land:
 - i The whole of the northerly 2,350 feet of the west half of Lot 18.
 - ii That portion of the said Lot 18 lying within the Town of Dundas.
 - iii That part of Lot 13, on a Plan registered in the Land Registry Office for the Registry Division of Wentworth (No. 62) as Number 1411 more particularly described as parts 1, 2 and

3 of a Plan deposited in the said Land Registry Office as Number 62R-3816.

2. That parcel of land beginning at a place in the westerly limit of Lot 18 in Concession I distant 2,350 feet measured southerly therealong from its northwesterly angle;

Thence easterly and parallel with the northerly limit of the said Lot to the easterly limit of the west half of the said Lot;

Thence northerly along the said half Lot limit to the brow of the escarpment;

Thence westerly along the said brow to the westerly limit of the said Lot;

Thence southerly along that westerly limit to the place of beginning.

3. That parcel of land beginning at a place in the easterly limit of Lot 20 in Concession II distant 4,400 feet measured southerly therealong from its northeasterly angle;

Thence northerly along that easterly limit to a line parallel with and distant 300 feet measured northwesterly from the northwesterly limit of Rock Chapel Road;

Thence southwesterly and southerly and parallel with the westerly limit of that road to its intersection with a line parallel with and distant 4,400 feet measured southerly from the northerly limit of that Lot 20;

Thence easterly and parallel with that northerly limit to the place of beginning.

4. Lot 19, in Concession I, saving and excepting that portion of Lot 19 lying within the Town of Dundas.

5. Lot 20, in Concession II, saving and excepting the northerly 4,400 feet of Lot 20, saving and excepting that portion of Lot 20 lying within the Town of Dundas.

6. Lot 21, in Concession II, saving and excepting the northerly 2,400 feet of Lot 21, saving and excepting that portion of Lot 21 lying within the Town of Dundas.

7. Lots 22 and 23, in Concession II, saving and excepting the northerly 1,600 feet of lots 22 and 23, and saving and excepting those portions of lots 22 and 23 lying within the Town of Dundas.

8. That parcel of land beginning at a place in the westerly limit of Lot 22 in Concession II being distant 1,600 feet measured southerly therealong from its northwesterly angle;

Thence easterly and parallel with the northerly limit of that Lot to its intersection with a line parallel with and distant 300 feet north of the brow of the escarpment;

Thence westerly and parallel with that brow to the westerly limit of the said Lot;

Thence southerly along that westerly limit distant 15 feet to the place of beginning.

9. Lot 24, in Concession II, saving and excepting the northerly 800 feet of Lot 24, saving and excepting that portion of Lot 24 lying within the Town of Dundas.

10. Lot 25, in Concession II, saving and excepting that portion of Lot 25 lying within the Town of Dundas.

11. That parcel of land beginning at the intersection of the north-eastern boundary of the Township of West Flamborough and the southerly limit of the road allowance between Concessions II and III;

Thence westerly along that southerly limit to its intersection with a line parallel with and distant 300 feet measured northwesterly from the brow of the escarpment;

Thence northeasterly and parallel with that brow to the north-easterly boundary of the Township of West Flamborough;

Thence southeasterly along that northeastern boundary to the place of beginning.

12. All original road allowances between or fronting the lands described in paragraphs 1 to 11.

2. Sections 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 30, 31, 32, 35, 36, 37 and 38 of the Regulation are revoked.

3. Schedules 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 17 to the Regulation are revoked.

BRYAN W. TUCKEY
Director

*Provincial Planning and Environmental Services Branch
Ministry of Municipal Affairs and Housing*

Dated on May 5, 1999.

21/99

ONTARIO REGULATION 310/99 made under the **ONTARIO PLANNING AND DEVELOPMENT ACT, 1994**

Made: May 5, 1999

Filed: May 6, 1999

Amending O. Reg. 486/73
(County of Wentworth (now The Regional Municipality of
Hamilton-Wentworth), Town of Dundas)

Note: Ontario Regulation 486/73 has previously been amended. Those amendments are listed in the Tables of Regulations in the Statutes of Ontario, 1991 and the Statutes of Ontario, 1998.

1. Section 2 of Ontario Regulation 486/73 as remade by section 1 of Ontario Regulation 255/97, is amended by adding the following paragraph:

2. Those portions of Lots 16 to 29 inclusive in Concessions I and II in the Town of Dundas in the Regional Municipality of Hamilton-Wentworth and shown on a map numbered 201 identified by the Registrar of Regulations Office on May 6, 1999 and filed with the Provincial Planning and Environmental Services Branch of the Ministry of Municipal Affairs and Housing at Toronto.

2. Sections 14, 15, 17, 20, 35, 39, 42 and 43 of the Regulation are revoked.

3. Schedules 1, 2, 4 and 7 to the Regulation are revoked.

BRYAN W. TUCKEY
Director

*Provincial Planning and Environmental Services Branch
Ministry of Municipal Affairs and Housing*

Dated on May 5, 1999.

21/99

ONTARIO REGULATION 311/99**made under the
HIGHWAY TRAFFIC ACT**

Made: May 5, 1999

Filed: May 6, 1999

Amending O. Reg. 32/94
(Vehicle Configurations)

Note: Ontario Regulation 32/94 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

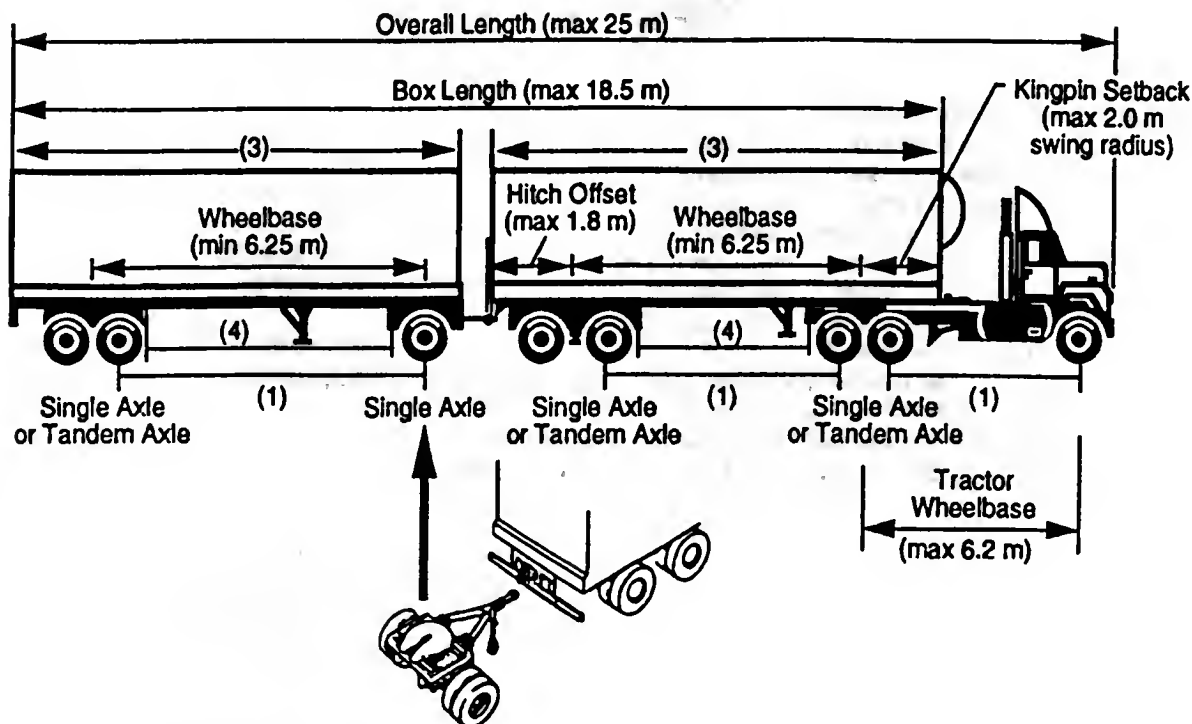
1. Section 27 of Ontario Regulation 32/94 is revoked and the following substituted:

LIFTABLE AXLES ON A DOUBLE TRAILER COMBINATION

27. (1) Despite subsections 12 (4), 13 (3), 17 (4) and 18 (4), section 22 and subsection 24 (4), both of the trailers on an A-train double, as shown in Figure 8, both of the trailers on a B-train double, as shown in Figure 9, and both of the trailers on a C-train double, as shown in Figure 10, may be equipped with one liftable axle if,

(a) the bed length of any trailer does not exceed 8.7 metres;

- (b) the box length does not exceed 18.5 metres;
 - (c) the A-train double or C-train double has eight fixed axles, not including the liftable axles;
 - (d) the B-train double has eight or nine fixed axles, not including the liftable axles;
 - (e) the liftable axles are in front of the rearmost fixed axle unit on the trailer when the vehicle is being operated;
 - (f) the liftable axles are raised when the vehicle is operated on a highway;
 - (g) no trailer is equipped with a self-steering axle, unless the self-steering axle is also a liftable axle; and
 - (h) every vehicle included in the A-train double, B-train double or C-train double, including a trailer converter dolly, meets all other requirements in the Act or this Regulation which would otherwise be applicable if the trailer did not have liftable axles.
- (2) The liftable axles shall be excluded from the calculation of allowable gross weight as set out in the Act and any regulations.

Figure 8/ A-Train Double

Note: (1) Inter-axle spacings

Single to single minimum 3.0 m

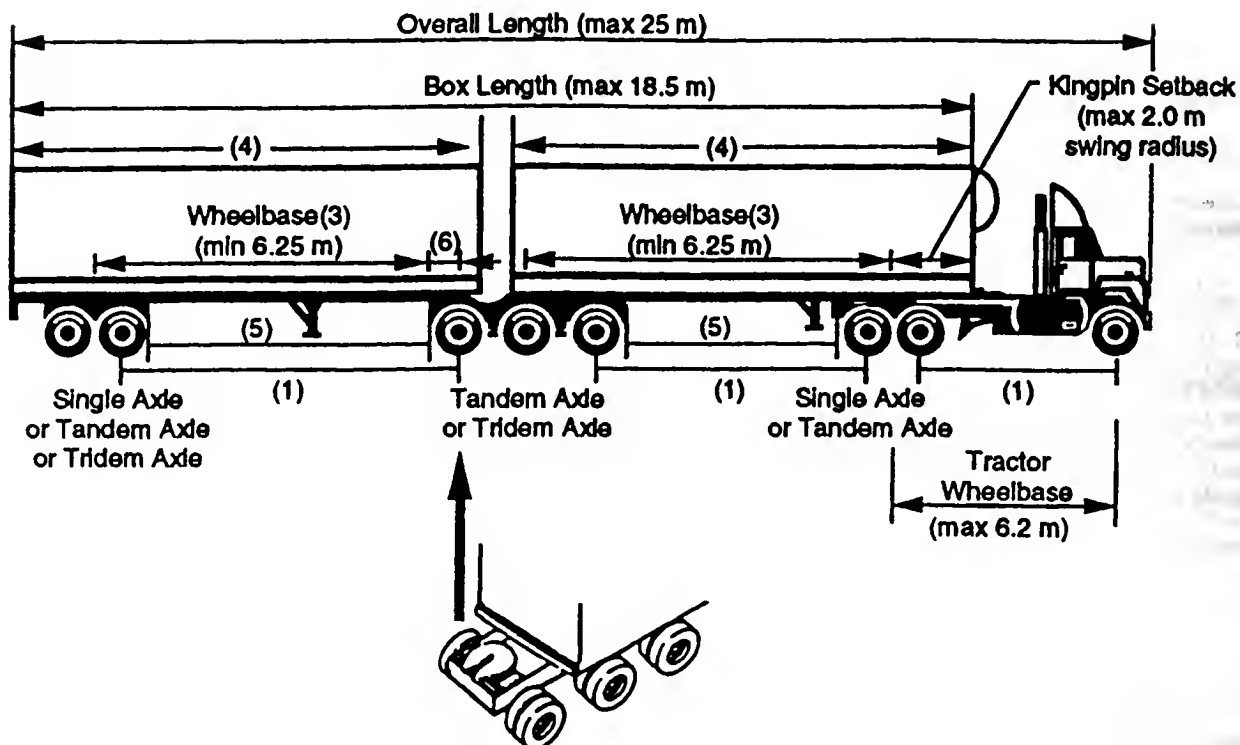
Single to tandem minimum 3.0 m

Tandem to tandem minimum 5.0 m

(2) Tandem axle spread from 1.2 to 1.85 m

(3) Bed length 8.7 metres maximum

(4) One liftable axle may be mounted on each trailer

Figure 9/ B-Train Double

Note: (1) Inter-axle spacings

Single to single	minimum 3.0 m
Single to tandem	minimum 3.0 m
Single to tridem	minimum 3.0 m
Tandem to tandem	minimum 5.0 m
Tandem to tridem	minimum 5.5 m
Tridem to tridem	minimum 6.0 m

(2) Tandem axle spread from 1.2 to 1.85 m

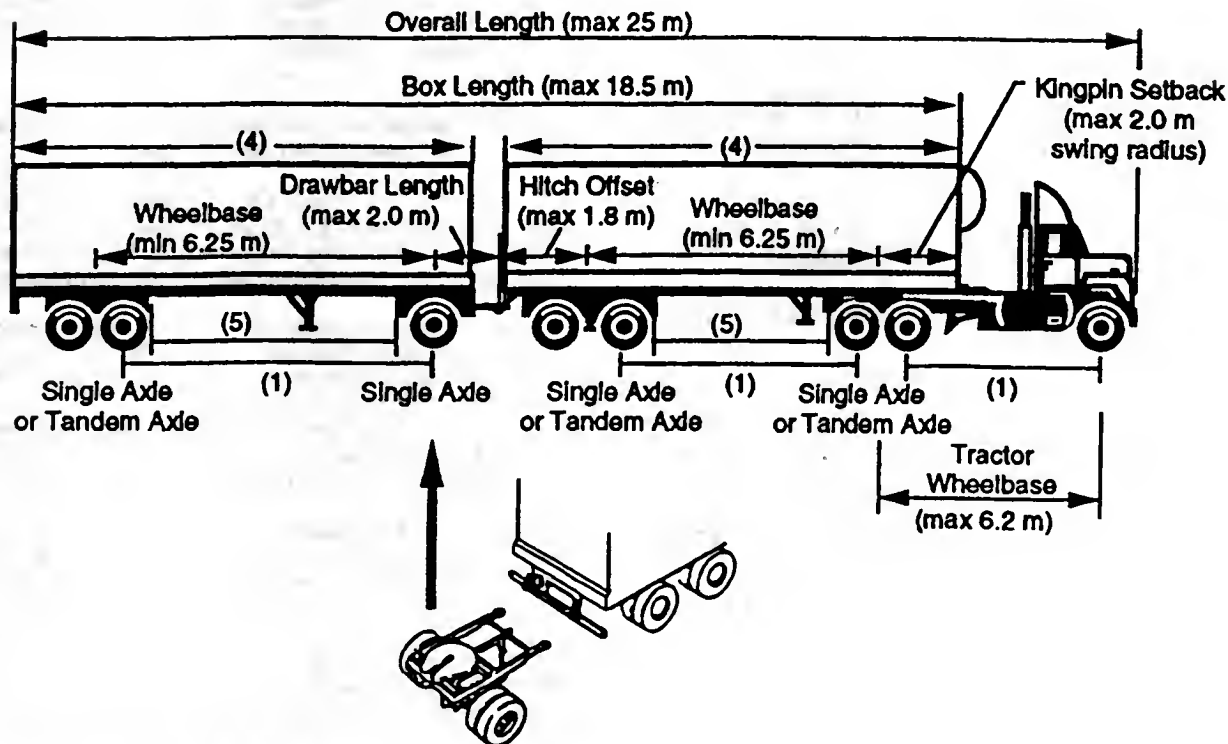
Tridem axle spread from 2.4 to 3.1 m

(3) Sum of semi-trailer wheelbases limited to a maximum of 17.0 m

(4) Bed length 8.7 metres maximum

(5) One liftable axle may be mounted on each trailer

(6) Kingpin not more than 0.3 m behind centre of last axle

Figure 10/ C-Train Double

Note: (1) Inter-axle spacings

Single to single minimum 3.0 m

Single to tandem minimum 3.0 m

Tandem to tandem minimum 5.0 m

(2) Tandem axle spread from 1.2 to 1.85 m

(3) Combined weight on the dolly axle and a tandem axle on the foremost semi-trailer not greater than 23,000 kg

(4) Bed length 8.7 metres maximum

(5) One liftable axle may be mounted on each trailer

ONTARIO REGULATION 312/99
made under the
ONTARIO DRUG BENEFIT ACT

Made: May 5, 1999
Filed: May 6, 1999

Amending O. Reg. 201/96
(General)

Note: Since the end of 1998, Ontario Regulation 201/96 has been amended by Ontario Regulations 72/99 and 74/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Section 1 of Ontario Regulation 201/96 is amended by adding the following subsections:

(2) For the purposes of this Regulation, item 574 of the Formulary shall be deemed to read as follows:

574	240mg LA Tab		.8720
00742554	Isoprin SR	KNO	1.3879
02210363	Gen-Verapamil SR	GEN	.8720
02211920	+Novo-Veramil SR	NOP	.8720

(3) For the purposes of this Regulation, item 1237 of the Formulary shall be deemed to have been revoked.

ONTARIO REGULATION 313/99
made under the
DRUG INTERCHANGEABILITY AND
DISPENSING FEE ACT

Made: May 5, 1999
Filed: May 6, 1999

Amending Reg. 935 of R.R.O. 1990
(General)

Note: Since the end of 1998, Regulation 935 has been amended by Ontario Regulations 73/99 and 231/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Section 1 of Regulation 935 of the Revised Regulations of Ontario, 1990 is amended by adding the following subsections:

(3) For the purposes of this Regulation, item 574 of the Formulary shall be deemed to read as follows:

574	240mg LA Tab			.8720
	00742554	Isoptin SR	KNO	1.3879
	02210363	Gen-Verapamil SR	GEN	.8720
	02211920	+Novo-Veramil SR	NOP	.8720

(4) For the purposes of this Regulation, item 1237 of the Formulary shall be deemed to have been revoked.

21/99

ONTARIO REGULATION 314/99
made under the
ONTARIO ENERGY BOARD ACT, 1998

Made: May 5, 1999
Filed: May 6, 1999

Amending Reg. 869 of R.R.O. 1990
(General)

Note: Since the end of 1998, Regulation 869 has been amended by Ontario Regulation 99/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. The Schedule to Regulation 869 of the Revised Regulations of Ontario, 1990 is amended by adding the following paragraphs:

BENTPATH EAST POOL

6. ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the Township of Dawn-Euphemia, Geographic Township of Dawn, in the County of Lambton and in the Province of Ontario and being composed of part of Lots 25, 26, 27 and 28, Concession 6, part of Lots 25, 26, 27 and 28, Concession 7 and part of the public road allowance known as Esterville Road between Concessions 6 and 7 adjacent to Lots 25, 26, 27 and 28 and part of the public road allowance known as Bentpath Line between Lots 25 and 26, Concession 6 and Lots 25 and 26, Concession 7, which said parcel may be more particularly described as follows:

COMMENCING at the Southwest Corner of Lot 26, Concession 6;

THENCE Northerly along the westerly limit of said Lot 26, Concession 6, a distance of 612.2 metres to a point, being the Northwest corner of said Lot 26, Concession 6;

THENCE Easterly along the Lot Line of Lots 26 and 27, Concession 6, a distance of 350.9 metres to a point;

THENCE Northerly through Lot 27, Concession 6, (being 350.9 metres easterly of the westerly limit of Lot 28, Concession 6), a distance of 607.9 metres to a point being the Lot Line between Lots 27 and 28, Concession 6;

THENCE Easterly along the Lot Line between Lots 27 and 28, Concession 6 a distance of 338.1 metres to a point;

THENCE Northerly through Lot 28, Concession 6, (being 689.0 metres from the westerly limit of Lot 28), Concession 6 a distance of 301.3 metres to a point being the One-half (½) Lot Line between the North One-half and the South One-half of Lot 28, Concession 6;

THENCE Easterly along the One-half (½) Lot Line between the North One-half and the South one half of Lot 28, Concession 6 a distance of 704.4 metres to the easterly limit of Lot 28, Concession 6;

THENCE continuing Easterly through the public road allowance known as Esterville Road a distance of 20.117 metres to a point being at the westerly limit of Lot 28, Concession 7;

THENCE continuing Easterly through Lot 28, Concession 7, a distance of 682.3 metres to a point being the One-half (½) Lot Line between the West One-half and the East One-half of Lot 28, Concession 7;

THENCE Southerly along the One-half (½) Lot Line between the West One-half and the East One-half of Lot 28, Concession 7, a distance of 303.3 metres to a point being the Lot Line between Lots 28 and 27, Concession 7;

THENCE continuing Southerly along the dividing line between the West One-half and the East One-half of Lot 27, Concession 7 a distance of 615.5 metres to a point, being the Southeast corner of the West One-half of Lot 27, Concession 7;

THENCE continuing Southerly along the dividing line between the West One-half and the East One-half of the Lot 26, Concession 7 a distance of 613.5 metres to a point, being the Southeast corner of the West One-half of Lot 26, Concession 7;

THENCE continuing Southerly across the public road allowance known as Bentpath Line a distance of 20.117 metres to a point, being the Northeast corner of the Northwest One-Quarter of Lot 25, Concession 7;

THENCE continuing Southerly along the easterly limit of the Northwest One-Quarter of Lot 25, Concession 7 a distance of 301.8 metres to a point;

THENCE Westerly a distance of 681.2 metres to a point, being the Easterly limit of the public road allowance known as Esterville Road;

THENCE continuing Westerly across the public road allowance known as Esterville Road a distance of 20.117 metres to the westerly limit of Esterville Road;

THENCE continuing Westerly through Lot 25, Concession 6 a distance of 1,371.3 metres to a point being the westerly limit of the Lot 25, Concession 6 and the easterly limit of the public road allowance known as Tramway Road;

THENCE proceeding Northerly along the easterly limit of Tramway Road, a distance of 301.3 metres to a point being the Northwest corner of the West One-half of Lot 25, Concession 6;

THENCE continuing northerly across the public road allowance known as Bentpath Line a distance of 20.117 metres to the Southwest corner of Lot 26, Concession 6 and being the point of commencement.

BOOTH CREEK POOL

7. ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the Township of Dawn-Euphemia, Geographic Township of Dawn, in the County of Lambton and in the Province of Ontario and being composed of part of Lots 28, 29 and 30 Concession 4, part of Lots 28, 29, and 30, Concession 5 and part of the public road allowance known as Marthaville Road between Concessions 4 and 5 within Lots 28, 29 and 30 which said parcel may be more particularly described as follows:

COMMENCING at the Southeast Corner of Lot 28, Concession 4, Westerly a distance of 680.3 metres to a point by the dividing line between the East One-half and the West One-half of Lot 28, Concession 4;

THENCE Northerly and parallel to the westerly limit of a public road allowance known as Marthaville Road a distance of 597.1 metres to a point, being the Lot Line between Lots 28, and 29, Concession 4;

THENCE continuing Northerly along the dividing line between the West One-half and the East One-half of Lot 29, Concession 4, a distance of 611.1 metres to a point, being the Lot Line between Lots 29 and 30, Concession 4;

THENCE continuing Northerly along the dividing line between the West One-half and the East One-half of Lot 30, Concession 4, a distance of 316.5 metres to a point, being the One-half Lot Line between the North One-half and the South One-half of Lot 30, Concession 4;

THENCE Easterly along the Lot Line between the North One-half and South One-half of Lot 30, Concession 4, a distance of 677.5 metres to a point, being the easterly limit of Lot 30, Concession 4;

THENCE continuing Easterly across the public road allowance known as Marthaville Road a distance of 20.117 metres to a point, being the easterly limit of Marthaville Road and the westerly limit of Lot 30, Concession 5;

THENCE continuing Easterly along the One-half Lot Line between the North One-half and the South One-half of Lot 30, Concession 5, a distance of 1,016.5 metres to a point;

THENCE Southerly and parallel to the easterly limit of Marthaville Road a distance of 300.2 metres to a point, being the dividing line between Lots 30 and 29, Concession 5;

THENCE continuing Southerly through Lot 29, Concession 5 and parallel to the easterly limit of Marthaville Road a distance of 610.7 metres to a point, being the Lot Line between Lots 29 and 28, Concession 5;

THENCE continuing Southerly through Lot 28, Concession 5 and parallel to the easterly limit of Marthaville Road a distance of 615.8 metres to a point being the Lot Line between Lots 28 and 27, Concession 5;

THENCE Westerly along the Lot Line between Lots 28 and 27, Concession 5, a distance of 1,018.6 metres to a point, being the Easterly limit of the road allowance known as Marthaville Road;

THENCE continuing Westerly across the public road allowance known as Marthaville Road a distance of 20.117 metres to a point being

the westerly limit of Marthaville Road and the Southeast corner of Lot 28, Concession 4, being the point of commencement.

21/99

ONTARIO REGULATION 315/99 made under the ONTARIO ENERGY BOARD ACT, 1998

Made: May 5, 1999

Filed: May 6, 1999

RURAL OR REMOTE ELECTRICITY RATE PROTECTION

1. (1) In this Regulation,

"Generation Corporation" has the same meaning as in the *Electricity Act, 1998*;

"government premises" means premises occupied by the Crown in right of Canada or Ontario or a facility that is funded in whole or in part by the Crown in right of Canada or Ontario, but does not include,

- (a) premises that are occupied by Canada Post Corporation, the Services Corporation or a subsidiary of the Services Corporation, or
- (b) premises occupied by social housing, a library, a recreational or sports facility, or a radio, television or cable television facility;

"municipal distributor" means,

- (a) a municipal corporation that distributes electricity directly,
- (b) a commission established under the *Public Utilities Act* or any other general or special Act through which a municipal corporation distributes electricity,
- (c) any other body, however established, through which a municipal corporation distributes electricity, or
- (d) a corporation established pursuant to section 142 of the *Electricity Act, 1998*;

"municipal residential consumer" means a residential consumer to whom a municipal distributor distributes electricity;

"remote community" means a community in which a subsidiary of the Services Corporation distributes electricity but that is not connected to a transmission system owned or operated by a subsidiary of the Services Corporation;

"remote community consumers" means the consumers referred to in paragraph 2 of subsection 3 (1) and the consumers in the class of consumers described in subsection 79 (2) of the Act who, but for subsection 79 (2) of the Act, would be consumers referred to in paragraph 2 of subsection 3 (1);

"rural or remote rate reduction" means rate reduction under subsection 79 (1) of the Act;

"rural residential consumers served by subsidiaries of the Services Corporation" means the consumers referred to in paragraph 1 of subsection 3 (1) and the consumers in the class of consumers described in subsection 79 (2) of the Act who, but for subsection 79 (2) of the Act, would be consumers referred to in paragraph 1 of subsection 3 (1);

"rural residential premises" means residential premises, including farm buildings and other farm premises associated with a residence, that are occupied on a year-round basis and are located in,

(a) a part of Ontario in which a subsidiary of the Services Corporation distributes electricity and in which, on March 31, 1999, Ontario Hydro distributed electricity, or

(b) an area in which Ontario Hydro distributed electricity on February 29, 1996 in a municipality referred to in the Schedule,;

but does not include residential premises located in a remote community;

"Services Corporation" has the same meaning as in the *Electricity Act, 1998*;

"weighted average municipal bill" means the weighted average municipal bill calculated under paragraph 1 of subsection 4 (1).

(2) A reference in this Regulation to a municipality referred to in the Schedules shall be deemed to be a reference to that municipality as it existed on the day this Regulation comes into force.

2. The areas of Ontario in which electricity is distributed by subsidiaries of the Services Corporation are designated as rural or remote areas for the purpose of section 79 of the Act and this Regulation.

3. (1) In addition to the class of consumers described in subsection 79 (2) of the Act, the following classes of consumers are eligible for rate protection under section 79 of the Act:

1. Consumers who,

- i. occupy rural residential premises that are located in a part of Ontario in which a subsidiary of the Services Corporation distributes electricity and in which, on March 31, 1999, Ontario Hydro distributed electricity, and
- ii. in the absence of a rural or remote rate reduction, would pay more than 15 per cent more than the weighted average municipal bill for the first 1,000 kilowatt hours of electricity consumed per month.

2. Consumers who occupy premises in remote communities, other than government premises.

3. Consumers who,

- i. occupy rural residential premises that are located in a municipality referred to in the Schedules in an area in which electricity is not distributed by a subsidiary of the Services Corporation and in which Ontario Hydro distributed electricity on February 29, 1996, and
- ii. would have been entitled, if section 28 of Schedule E to the *Energy Competition Act* had not come into force and electricity were distributed to the consumers by Ontario Hydro, to pay a rate for electricity consumed that would have been discounted by Ontario Hydro under section 108 of the *Power Corporation Act*.

(2) Paragraph 3 of subsection (1) does not apply to consumers who occupy premises that are located in a municipality referred to in the Schedules after the end of the last period that is set out in the Schedule that is applicable to that municipality.

4. (1) The following rules apply to the calculation of the amount of rural or remote rate reduction for rural residential consumers served by subsidiaries of the Services Corporation:

1. The Board shall calculate the weighted average municipal bill in the following manner:

- i. For each municipal distributor, multiply the number of municipal residential consumers to whom the municipal distributor distributes electricity by the amount payable to the municipal distributor by a municipal residential consumer for the first 1,000 kilowatt hours of electricity consumed per month, not including any amount payable under subsection 79 (4) of the Act towards compensation for lost revenue resulting from rural or remote rate reduction.

- ii. Add together the products determined under subparagraph i in respect of all municipal distributors.

- iii. Divide the sum determined under subparagraph ii by the total number of municipal residential consumers to whom electricity is distributed by municipal distributors.

2. The Board shall calculate the weighted average rural bill for subsidiaries of the Services Corporation in the following manner:

- i. For each rate class that applies to rural residential consumers served by subsidiaries of the Services Corporation, multiply the number of premises occupied by those consumers to which the rate class applies by the amount that would be payable for the first 1,000 kilowatt hours of electricity consumed per month in those premises, not including any amount payable under subsection 79 (4) of the Act towards compensation for lost revenue resulting from rural or remote rate reduction.

- ii. Add together the products determined under subparagraph i in respect of all rate classes that apply to rural residential consumers served by subsidiaries of the Services Corporation.

- iii. Divide the sum determined under subparagraph ii by the total number of premises occupied by rural residential consumers served by subsidiaries of the Services Corporation.

3. The Board shall calculate the amount of rural or remote rate reduction for rural residential consumers served by subsidiaries of the Services Corporation in a manner that the Board forecasts will result in the weighted average rural bill for subsidiaries of the Services Corporation calculated under paragraph 2 not exceeding the weighted average municipal bill by more than 15 per cent.

4. Paragraph 3 does not prohibit the Board from calculating the amount of rural or remote rate reduction in a manner that results in the amount payable by particular consumers exceeding the weighted average municipal bill by more than 15 per cent.

(2) The Board shall calculate the amount of rural or remote rate reduction for remote community consumers in a manner that ensures that the rates charged to those consumers are no greater than the rates charged to the lowest-density comparable class of consumers in other areas of Ontario in which electricity is distributed by subsidiaries of the Services Corporation.

(3) Subject to subsection (4), the Board shall calculate the amount of rural or remote rate reduction for consumers referred to in paragraph 3 of subsection 3 (1) who occupy premises that are located in a municipality referred to in the Schedules in a manner that ensures that the total amount of rural or remote rate reduction for those consumers in each period set out in the Schedule that is applicable to that municipality is equal to the amount set out for that period in that Schedule.

(4) The Board shall calculate the amount of rural or remote rate reduction for consumers referred to in paragraph 3 of subsection 3 (1) who occupy premises that are located in a municipality referred to in the Schedules in a manner that ensures that the total amount of rural or remote rate reduction for those consumers for the period during which

paragraph 3 of subsection 3 (1) applies to those consumers is equal to the sum of the amounts set out for all the periods set out in the Schedule that is applicable to that municipality, reduced by the amount paid under subsection 83.7 (24) of the *Power Corporation Act* in respect of employees who, under section 83.7 of that Act, accept employment with the distributor that distributes electricity to those consumers.

5. The following rules apply with respect to the amounts that must be collected to compensate distributors that distribute electricity to consumers who are eligible for rate protection under section 79 of the Act for lost revenue resulting from rural or remote rate reduction:

1. After making orders fixing or approving rates for the distributors, the Board shall estimate, for the period for which the orders will be in effect, the total amount that must be recovered from consumers to compensate the distributors for lost revenue resulting from rural or remote rate reduction.
 2. The Board shall determine the monthly amount that must be collected from each consumer in order to collect the amount estimated under paragraph 1 by the end of the period for which the orders referred to in paragraph 1 are in effect.
 3. The Board may use different methods to determine, for different classes of consumers, the monthly amounts referred to in paragraph 2.
 4. The amount determined under paragraph 2 for a consumer shall be collected monthly by the distributor that distributes electricity to the consumer or, if the consumer is not a customer of a distributor, by the Generation Corporation.
 5. The due date for payment by a consumer of an amount to be collected under paragraph 4 shall be the same as the due date for payment of rates fixed or approved under section 78 of the Act.
 6. Interest and penalties on late payments are payable with respect to payments by consumers of amounts to be collected under paragraph 4 on the same basis as interest and penalties on late payments are payable with respect to rates that are fixed or approved by the Board under section 78 of the Act.
 7. Distributors and the Generation Corporation shall remit the amounts collected under paragraph 4 on a monthly basis to the distributors that distribute electricity to consumers who are eligible for rate protection under section 79 of the Act, through such intermediaries and in such amounts as the Board may direct.
 8. If the amount collected under paragraph 4 during the period for which the orders referred to in paragraph 1 are in effect exceeds the actual amount necessary to compensate the distributors that distribute electricity to consumers who are eligible for rate protection under section 79 of the Act for lost revenue resulting from rural or remote rate reduction, the excess shall be applied against the amount necessary to compensate those distributors for the next period.
 9. If the amount collected under paragraph 4 during the period for which the orders referred to in paragraph 1 are in effect is less than the actual amount necessary to compensate the distributors that distribute electricity to consumers who are eligible for rate protection under section 79 of the Act for lost revenue resulting from rural or remote rate reduction, the shortfall shall be added to the amount necessary to compensate those distributors for the next period.
6. Ontario Regulation 647/98 is revoked.

Schedule 1

TOWN OF BRACEBRIDGE

Period	Total Amount of Rural or Remote Rate Reduction
May 1, 1999 to March 31, 2000	\$117,525.60
April 1, 2000 to March 31, 2001	94,020.48
April 1, 2001 to March 31, 2002	70,515.36
April 1, 2002 to March 31, 2003	47,010.24
April 1, 2003 to March 31, 2004	23,505.12

Schedule 2

TOWN OF CALEDON

Period	Total Amount of Rural or Remote Rate Reduction
May 1, 1999 to March 31, 2000	\$2,221,701.60
April 1, 2000 to March 31, 2001	1,777,361.28
April 1, 2001 to March 31, 2002	1,333,020.96
April 1, 2002 to March 31, 2003	888,680.64
April 1, 2003 to March 31, 2004	444,340.32

Schedule 3

TOWN OF COLLINGWOOD

Period	Total Amount of Rural or Remote Rate Reduction
May 1, 1999 to March 31, 2000	\$8,514.00
April 1, 2000 to March 31, 2001	6,811.20
April 1, 2001 to March 31, 2002	5,108.40
April 1, 2002 to March 31, 2003	3,405.60
April 1, 2003 to March 31, 2004	1,702.80

Schedule 4

TOWN OF DUNNVILLE

Period	Total Amount of Rural or Remote Rate Reduction
May 1, 1999 to December 31, 1999	\$378,252.00
January 1, 2000 to December 31, 2000	453,902.40
January 1, 2001 to December 31, 2001	340,426.80
January 1, 2002 to December 31, 2002	226,951.20
January 1, 2003 to December 31, 2003	113,475.60

Schedule 5

TOWN OF ESPANOLA

Period	Total Amount of Rural or Remote Rate Reduction
May 1, 1999 to March 31, 2000	\$44,460.00
April 1, 2000 to March 31, 2001	35,568.00
April 1, 2001 to March 31, 2002	26,676.00
April 1, 2002 to March 31, 2003	17,784.00
April 1, 2003 to March 31, 2004	8,892.00

Schedule 6

TOWN OF FLAMBOROUGH

Period	Total Amount of Rural or Remote Rate Reduction
May 1, 1999 to April 30, 2000	\$1,839.60
May 1, 2000 to April 30, 2001	1,471.68
May 1, 2001 to April 30, 2002	1,103.76
May 1, 2002 to April 30, 2003	735.84
May 1, 2003 to April 30, 2004	367.92

Schedule 7

TOWNSHIP OF GOULBOURN

Period	Total Amount of Rural or Remote Rate Reduction
May 1, 1999 to December 31, 1999	\$305,405.10
January 1, 2000 to December 31, 2000	325,765.44
January 1, 2001 to December 31, 2001	244,324.08
January 1, 2002 to December 31, 2002	162,882.72
January 1, 2003 to December 31, 2003	81,441.36

Schedule 8

TOWN OF GRAVENHURST

Period	Total Amount of Rural or Remote Rate Reduction
May 1, 1999 to April 30, 2000	\$198,662.40
May 1, 2000 to April 30, 2001	158,929.92
May 1, 2001 to April 30, 2002	119,197.44
May 1, 2002 to April 30, 2003	79,464.96
May 1, 2003 to April 30, 2004	39,732.48

Schedule 9

TOWN OF HALDIMAND

Period	Total Amount of Rural or Remote Rate Reduction
May 1, 1999 to March 31, 2000	\$1,142,672.40
April 1, 2000 to March 31, 2001	914,137.92
April 1, 2001 to March 31, 2002	685,603.44
April 1, 2002 to March 31, 2003	457,068.96
April 1, 2003 to March 31, 2004	228,534.48

Schedule 10

TOWN OF HEARST

Period	Total Amount of Rural or Remote Rate Reduction
May 1, 1999 to December 31, 1999	\$34,052.16
January 1, 2000 to December 31, 2000	34,052.16
January 1, 2001 to December 31, 2001	17,026.08

Schedule 11

TOWN OF LINCOLN

Period	Total Amount of Rural or Remote Rate Reduction
May 1, 1999 to December 31, 1999	\$472,866.75
January 1, 2000 to December 31, 2000	504,391.20
January 1, 2001 to December 31, 2001	378,293.40
January 1, 2002 to December 31, 2002	252,195.60
January 1, 2003 to December 31, 2003	126,097.80

Schedule 12

CITY OF NANTICOKE

Period	Total Amount of Rural or Remote Rate Reduction
May 1, 1999 to March 31, 2000	\$1,288,485.00
April 1, 2000 to March 31, 2001	1,030,788.00
April 1, 2001 to March 31, 2002	773,091.00
April 1, 2002 to March 31, 2003	515,394.00
April 1, 2003 to March 31, 2004	257,697.00

Schedule 13

TOWN OF SIOUX LOOKOUT

Period	Total Amount of Rural or Remote Rate Reduction
May 1, 1999 to December 31, 1999	\$131,584.50
January 1, 2000 to December 31, 2000	140,356.80
January 1, 2001 to December 31, 2001	105,267.60
January 1, 2002 to December 31, 2002	70,178.40
January 1, 2003 to December 31, 2003	35,089.20

Schedule 14

MUNICIPALITY OF SOUTH BRUCE

Period	Total Amount of Rural or Remote Rate Reduction
May 1, 1999 to December 31, 1999	\$7,759.80
January 1, 2000 to December 31, 2000	8,277.12
January 1, 2001 to December 31, 2001	6,207.84
January 1, 2002 to December 31, 2002	4,138.56
January 1, 2003 to December 31, 2003	2,069.28

Schedule 15

TOWNSHIP OF TAY

Period	Total Amount of Rural or Remote Rate Reduction
June 1, 1999 to May 31, 2000	$(\$342.00 \times \text{the number of consumers who occupy premises in the 1R2 rate class on May 31, 1999}) + (\$385.20 \times \text{the number of consumers who occupy premises in the 1F2-1 rate class on May 31, 1999}) + (\$285.00 \times \text{the number of consumers who occupy premises in the 1F2-3 rate class on May 31, 1999})$
June 1, 2000 to May 31, 2001	$(\$273.60 \times \text{the number of consumers who occupy premises in the 1R2 rate class on May 31, 1999}) + (\$308.16 \times \text{the number of consumers who occupy premises in the 1F2-1 rate class on May 31, 1999}) + (\$228.00 \times \text{the number of consumers who occupy premises in the 1F2-3 rate class on May 31, 1999})$

Period	Total Amount of Rural or Remote Rate Reduction
June 1, 2001 to May 31, 2002	$(\$205.20 \times \text{the number of consumers who occupy premises in the 1R2 rate class on May 31, 1999}) + (\$231.12 \times \text{the number of consumers who occupy premises in the 1F2-1 rate class on May 31, 1999}) + (\$171.00 \times \text{the number of consumers who occupy premises in the 1F2-3 rate class on May 31, 1999})$
June 1, 2002 to May 31, 2003	$(\$136.80 \times \text{the number of consumers who occupy premises in the 1R2 rate class on May 31, 1999}) + (\$154.08 \times \text{the number of consumers who occupy premises in the 1F2-1 rate class on May 31, 1999}) + (\$114.00 \times \text{the number of consumers who occupy premises in the 1F2-3 rate class on May 31, 1999})$
June 1, 2003 to May 31, 2004	$(\$68.40 \times \text{the number of consumers who occupy premises in the 1R2 rate class on May 31, 1999}) + (\$77.04 \times \text{the number of consumers who occupy premises in the 1F2-1 rate class on May 31, 1999}) + (\$57.00 \times \text{the number of consumers who occupy premises in the 1F2-3 rate class on May 31, 1999})$

Schedule 16

TOWNSHIP OF WEST LINCOLN

Period	Total Amount of Rural or Remote Rate Reduction
June 1, 1999 to May 31, 2000	$(\$342.00 \times \text{the number of consumers who occupy premises in the 1R2 rate class on May 31, 1999}) + (\$385.20 \times \text{the number of consumers who occupy premises in the 1F2-1 rate class on May 31, 1999}) + (\$285.00 \times \text{the number of consumers who occupy premises in the 1F2-3 rate class on May 31, 1999})$
June 1, 2000 to May 31, 2001	$(\$273.60 \times \text{the number of consumers who occupy premises in the 1R2 rate class on May 31, 1999}) + (\$308.16 \times \text{the number of consumers who occupy premises in the 1F2-1 rate class on May 31, 1999}) + (\$228.00 \times \text{the number of consumers who occupy premises in the 1F2-3 rate class on May 31, 1999})$
June 1, 2001 to May 31, 2002	$(\$205.20 \times \text{the number of consumers who occupy premises in the 1R2 rate class on May 31, 1999}) + (\$231.12 \times \text{the number of consumers who occupy premises in the 1F2-1 rate class on May 31, 1999}) + (\$171.00 \times \text{the number of consumers who occupy premises in the 1F2-3 rate class on May 31, 1999})$

Period	Total Amount of Rural or Remote Rate Reduction
June 1, 2002 to May 31, 2003	$(\$136.80 \times \text{the number of consumers who occupy premises in the 1R2 rate class on May 31, 1999}) + (\$154.08 \times \text{the number of consumers who occupy premises in the 1F2-1 rate class on May 31, 1999}) + (\$114.00 \times \text{the number of consumers who occupy premises in the 1F2-3 rate class on May 31, 1999})$
June 1, 2003 to May 31, 2004	$(\$68.40 \times \text{the number of consumers who occupy premises in the 1R2 rate class on May 31, 1999}) + (\$77.04 \times \text{the number of consumers who occupy premises in the 1F2-1 rate class on May 31, 1999}) + (\$57.00 \times \text{the number of consumers who occupy premises in the 1F2-3 rate class on May 31, 1999})$

21/99

ONTARIO REGULATION 316/99
made under the
MEDICAL LABORATORY TECHNOLOGY ACT, 1991

Made: February 26, 1999

Approved: May 5, 1999

Filed: May 6, 1999

Amending O. Reg. 207/94
(General)

Note: Ontario Regulation 207/94 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Ontario Regulation 207/94 is amended by adding the following Parts:

PART V
NOTICE OF MEETINGS AND HEARINGS

23. (1) The Registrar shall ensure that notice of every Council meeting that is required to be open to the public under the Act is given in accordance with this Part.

(2) The notice shall be published in a newspaper or newspapers of general circulation within the province at least 14 days before the date of the meeting.

(3) The notice shall also be published in a College communication sent to members at least 14 days before the date of the meeting.

(4) The notice shall be in both English and French.

(5) The notice shall include the date, time and place of the meeting and a statement of its purpose.

(6) The Registrar shall give notice of Council meetings to every person who requests it.

(7) The Registrar shall post the notice at the College's offices.

(8) Where the College determines that an emergency meeting of Council is necessary and that meeting is required to be open to the public under the Act, notice of the meeting is sufficiently given if the Registrar informs the Minister of the date, time, place and purpose of the meeting and provides that information on the Internet, through a website of the College at www.cmlto.com.

24. (1) The Registrar shall ensure that information concerning every hearing into allegations of professional misconduct or incompetence held by a panel of the Discipline Committee is given to every person who requests it.

(2) The information to be provided shall include the name of the member against whom the allegations have been made, the intended date, time and place of the hearing and a statement of the purpose of the hearing.

(3) For requests received more than 30 days before the intended date of the hearing, the Registrar shall, where possible, provide the information at least 30 days before that date.

(4) For requests received less than 30 days before the intended date of the hearing, the Registrar shall provide the information as soon as reasonably possible before that date.

(5) The information shall be made available in English or, upon request, in French.

PART VI
PUBLICATION OF DECISIONS OF COMMITTEE PANELS

25. The College shall publish the decisions and reasons for decisions, or a summary of such reasons, of a panel of the Discipline Committee in a newsletter sent to the members.

26. (1) The College shall publish decisions of panels of the Fitness to Practice Committee and the reasons for decisions, or a summary of such reasons, in the annual report.

(2) A publication under subsection (1) shall not identify the member who is the subject of the decision.

COUNCIL OF THE COLLEGE OF MEDICAL
LABORATORY TECHNOLOGISTS OF ONTARIO:

KATHY WILKIE
President

SHEILA WOODCOCK
Registrar

Dated on February 26, 1999.

21/99

ONTARIO REGULATION 317/99
made under the
**ONTARIO MUNICIPAL EMPLOYEES RETIREMENT
SYSTEM ACT**

Made: May 5, 1999

Filed: May 6, 1999

Amending Reg. 890 of R.R.O. 1990
(General)

Note: Regulation 890 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. The definition of "continuous service" in subsection 1 (1) of Regulation 890 of the Revised Regulations of Ontario, 1990 is amended,

- (a) by striking out "section 19" in clause (a) and substituting "subsection 19 (1)";
- (b) by striking out "section 19" in clause (e) and substituting "subsection 19 (1)";
- (c) by striking out "or" at the end of clause (f) and adding "or" at the end of clause (g); and
- (d) by adding the following clause:
- (h) a period during which a member,
 - (i) is employed by one participating employer (the "first employer") and is absent from work with the first employer for a reason described in clause (b), (d) or (g), and
 - (ii) is employed by another participating employer (the "second employer") and is a member of the System as an employee of the second employer.

2. (1) Section 13 of the Regulation is amended by adding the following subsection:

(5.1) In the circumstances described in subsection 19.0.1 (3) and despite subsection (5), the amount of a member's lifetime normal retirement pension is calculated according to the following rules:

- 1. The expressions "old employment" and "new employment" have the same meaning as in subsection 19.0.1 (1).
- 2. A separate calculation must be made in respect of the following periods of credited service:
 - i. All credited service of the member up to and including the date on which the old employment was terminated. If the member has more than one period of old employment, the period described in this subparagraph ends on the date on which the first period of old employment was terminated.
 - ii. If the member has more than one period of old employment, the credited service earned by the member for each period of old employment after the first period of old employment.
 - iii. All credited service of the member on and after the date on which the new employment began.
- 3. The member's pensionable earnings for each of those periods of credited service is determined as if the member had been a member of the System during the applicable period of credited service and not at any other time.
- 4. The amount of the member's pension with respect to each of the periods of credited service is calculated in accordance with subsection (5) as if the period were the member's only period of credited service. The calculation must use the pensionable earnings for the period as determined under paragraph 3.
- 5. The member's lifetime normal retirement pension is the sum of the pension amounts calculated under paragraph 4 for each of the periods of credited service.

(2) Subsection 13 (6) of the Regulation is amended by striking out "subsection (5)" in the first line and substituting "this section".

(3) Section 13 of the Regulation is amended by adding the following subsection:

(7.0.1) In the circumstances described in subsection 19.0.1 (3) and despite subsection (7), the amount of a member's bridge pension is calculated according to the following rules:

- 1. Paragraphs 1 to 3 and 6 of subsection (5.1) apply with respect to the calculation.
- 2. The amount of the member's pension with respect to each of the periods of credited service is calculated in accordance with subsection (7) as if the period were the member's only period of credited service. The calculation must use the pensionable earnings for the period as determined under paragraph 3 of subsection (5.1).
- 3. The member's bridge pension is the sum of the pension amounts calculated under paragraph 2 for each of the periods of credited service.

(4) Subsection 13 (8) of the Regulation is amended by inserting after "subsection (5)" in the first line "or (5.1)".

(5) Subsection 13 (9) of the Regulation is amended by inserting after "subsection (5)" in the first line "or (5.1)".

3. (1) Subsection 14 (3) of the Regulation is amended by striking out "section 16, 17, 19 or 25" in the second and third lines and substituting "section 16 or 17, subsection 19 (1) or section 25".

(2) Clause 14 (3) (e) of the Regulation is amended by striking out "section 16, 17, 19 or 25" in the second line and substituting "section 16 or 17, subsection 19 (1) or section 25".

4. (1) Clause 15 (2) (a) of the Regulation is revoked and the following substituted:

- (a) to a widow or widower shall not exceed the annual amount of pension calculated under section 13 and is the sum of,
 - (i) two-thirds of the annual amount of pension calculated under section 13, and
 - (ii) in respect of each dependent child of the member during his or her dependent child benefit period, one-tenth of the annual amount of pension calculated under section 13; or

(2) Subsection 15 (4) of the Regulation is amended by striking out "exclusive of benefits under subsections 12 (6), 19 (2), 26 (14) and 26 (16)" and substituting "exclusive of benefits under subsections 12 (6) and 26 (14) and (16) and payments under subsections 19 (2) and (2.1)".

5. Subsection 15.1 (2) of the Regulation is revoked and the following substituted:

(2) The annual amount of pension payable to a widow or widower shall not exceed the annual amount of pension the member was receiving immediately before death and is the sum of,

- (a) two-thirds of the annual amount of pension the member was receiving immediately before death and for the purposes of this calculation in the case of a member who retired before January 1, 1978 on an early retirement pension and who died on or after that day, the amount of the member's pension is increased to the amount it would have been but for early retirement; and
- (b) in respect of each dependent child of the member during his or her dependent child benefit period, one-tenth of the member's annual amount of pension described in clause (a).

6. Section 15.2 of the Regulation is amended by adding the following subsection:

(14.1) A person receiving or entitled to receive a pension under section 15 or 15.1 on January 1, 1999 shall have his or her pension recalculated as if this Regulation as it reads on June 1, 1999 had been in effect on the date of the applicable former member's death. The recalculated pension is payable only from and after January 1, 1999.

7. Subsection 16 (4) of the Regulation is amended by striking out "section 19" in the third line and substituting "or 19 (1)".

8. (1) Subsections 17 (5.1), (5.2) and (6) of the Regulation are revoked and the following substituted:

(5.1) Despite subsection (5) and subject to the *Income Tax Act* (Canada), in the following circumstances the annual amount of early retirement pension payable to a member under this section is the annual amount of pension calculated under section 13:

1. The member retires on or after November 30, 1997 and before January 1, 1999 and the criteria described either in subsection (5.2) or in subsection (5.4) are met at the date of the early retirement.
2. The member retires on or after January 1, 1999 and before January 1, 2002 and the criteria described either in subsection (5.3) or in subsection (5.4) are met at the date of the early retirement.
3. The member retires on or after January 1, 2002 and before January 1, 2003 and the criteria described either in subsection (5.2) or in subsection (5.4) are met at the date of the early retirement.

(5.2) For the purposes of paragraphs 1 and 3 of subsection (5.1), the sum of the member's age (counted in full years and months) plus credited service and eligible service (counted in full years and months) must not be less than,

- (a) 85 years, in the case of a member whose normal retirement age is 65 years; or
- (b) 80 years, in the case of a member whose normal retirement age is 60 years.

(5.3) For the purposes of paragraph 2 of subsection (5.1), the sum of the member's age (counted in full years and months) plus credited service and eligible service (counted in full years and months) must not be less than,

- (a) 80 years, in the case of a member whose normal retirement age is 65 years; or
- (b) 75 years, in the case of a member whose normal retirement age is 60 years.

(5.4) For the purposes of paragraphs 1, 2 and 3 of subsection (5.1), the sum of the member's credited service and eligible service (counted in full years and months) must not be less than 30 years.

(5.5) Despite subsection (2), the immediate early retirement pension payable under paragraph 2 of subsection (5.1) to a member may begin to be paid from the first day of the month following the month in which the member reaches,

- (a) 50 years of age, in the case of a member whose normal retirement age is 65 years; or
- (b) 45 years of age, in the case of a member whose normal retirement age is 60 years.

(2) Subsection 17 (7.1) of the Regulation is revoked and the following substituted:

(7.1) Despite subsection (7) and subject to the *Income Tax Act* (Canada), the annual amount of the early retirement pension payable to a member who is not eligible under subsection (5) to receive an early retirement pension at the date of his or her early retirement is determined,

- (a) under subsection (7.1.1) for a member who retires on or after November 30, 1997 and before January 1, 1999;
- (b) under subsection (7.1.2) for a member who retires on or after January 1, 1999 and before January 1, 2002; and
- (c) under subsection (7.1.1) for a member who retires on or after January 1, 2002 and before January 1, 2003.

(7.1.1) For the purposes of clauses (7.1) (a) and (c), the amount of the member's early retirement pension is calculated by reducing the annual amount of pension calculated under section 13 for the member at the rate of 2 1/2 per cent multiplied by the least of,

- (a) the number of full years and months by which the member's age is less than the member's normal retirement age, on the date the early retirement pension is to begin;
- (b) in the case of a member whose normal retirement age is 65 years, 85 minus the sum of the member's credited service, eligible service and age (counted in full years and months) on the date the early retirement pension is to begin;
- (c) in the case of a member whose normal retirement age is 60 years, 80 minus the sum of the member's credit service, eligible service and age (counted in full years and months) on the date the early retirement pension is to begin; and
- (d) the number of full years and months by which the sum of the member's credited service and eligible service is less than 30 years on the date the early retirement pension is to begin.

(7.1.2) For the purposes of clause (7.1) (b), the amount of the member's early retirement pension is calculated by reducing the annual amount of pension calculated under section 13 for the member at the rate of 2 1/2 per cent multiplied by the least of,

- (a) the number of full years and months by which the member's age is less than the member's normal retirement age, on the date the early retirement pension is to begin;
- (b) in the case of a member whose normal retirement age is 65 years, 80 minus the sum of the member's credited service, eligible service and age (counted in full years and months) on the date the early retirement pension is to begin;
- (c) in the case of a member whose normal retirement age is 60 years, 75 minus the sum of the member's credit service, eligible service and age (counted in full years and months) on the date the early retirement pension is to begin; and
- (d) the number of full years and months by which the sum of the member's credited service and eligible service is less than 30 years on the date the early retirement pension is to begin.

(3) Subsection 17 (8) of the Regulation is amended by striking out "subsection (7)" in the first line and substituting "this section".

(4) Subsections 17 (9) and (10) of the Regulation are revoked and the following substituted:

(9) The following rules apply when a member becomes entitled to receive a deferred pension under section 16 and wishes to make an election to receive an early retirement pension:

1. The member may make the election within the 10 year period before his or her normal retirement date with respect to an early retirement pension calculated under subsection (5) or subsection (7).
2. The member may make the election within the 10 year period before his or her normal retirement date with respect to an early retirement pension calculated under paragraph 1 or 3 of subsection (5.1) or clause (7.1) (a) or (c).
3. The member may make the election within the 15 year period before his or her normal retirement date with respect to an early retirement pension calculated under paragraph 2 of subsection (5.1) or clause (7.1) (b).

(10) For the purposes of determining completed years and months of credited service and eligible service under this section,

- (a) a month shall not be counted more than once; and
- (b) a member employed on other than a continuous full-time basis shall be considered to have been employed on a continuous full-time basis.

9. Section 19 of the Regulation is amended by adding the following subsections:

(2.1) If, before January 1, 1992, a member accrued credited service in excess of 35 years, a refund equal to the sum of the member's contributions, plus interest, for the period of credited service in excess of 35 years is payable to the member or, if the member is deceased, to a person receiving a pension in respect of the member or, if there is no such person, to the member's designated beneficiary or, if there is no designated beneficiary, to the member's estate.

(2.2) A refund under subsection (2.1) shall not include any amount paid to the member under subsection (2) in respect of the same period of credited service.

10. The Regulation is amended by adding the following section:

19.0.1 (1) This section applies to a member,

- (a) who terminates employment (the "old employment") and ceases to be eligible to make contributions to the Fund upon terminating that employment;
- (b) who receives a refund of contributions under subsection 19 (2) in respect of the old employment; and
- (c) who, as a result of employment that begins on or after June 1, 1999 (the "new employment"), becomes required to make contributions to the Fund.

(2) The member may elect to pay into the Fund an amount equal to the amount he or she received under subsection 19 (2) in respect of the old employment, together with interest (at the rate described in section 19) from the date it was paid under that subsection.

(3) The normal retirement pension of a member who does not pay the entire amount described in subsection (2) shall be determined in accordance with subsections 13 (5.1) and (7.0.1) instead of subsections 13 (5) and (7).

11. Subsection 19.1 (3) of the Regulation is amended by striking out "benefits paid under subsection 19 (2)" at the end and substituting "amounts paid under subsection 19 (2) and (2.1)".

12. Paragraph 2 of subsection 21 (1.1) of the Regulation is revoked and the following substituted:

2. For 1999 and subsequent years, 100 per cent of the inflation increase for the applicable year.

13. Subsection 25.1 (3) of the Regulation is amended by striking out "A refund paid under subsection 19 (2)" in the second and third lines and substituting "A payment under subsection 19 (2) or (2.1)".

21/99

ONTARIO REGULATION 318/99 made under the LIVESTOCK AND LIVESTOCK PRODUCTS ACT

Made: May 5, 1999

Filed: May 6, 1999

LIVESTOCK AND LIVESTOCK PRODUCTS

1. All ruminants, porcine animals, equine animals, domesticated rabbits and birds are designated as livestock and all products that come from them are designated as livestock products.

2. A dealer is exempt from the requirement for a licence set out in section 2 of the Act unless the dealer requires a licence referred to in Regulation 724, 725, 726 or 727 of the Revised Regulations of Ontario, 1990.

3. (1) The following conditions apply with respect to all sales of livestock or livestock products:

1. A buyer is not required to pay for livestock or livestock products that are or have been contaminated.
2. A seller who receives, or is credited with, a payment that a buyer, by operation of paragraph 1, was not required to make, shall reimburse the buyer for the amount of the payment immediately upon discovering that the payment was not required to be made.

(2) In this section,

"contaminated" means containing or having been treated with,

- (a) a substance not permitted by, or in an amount in excess of limits prescribed under, the *Food and Drugs Act* (Canada), the *Canadian Environmental Protection Act* or the *Pest Control Products Act* (Canada),
- (b) an ingredient, a food additive or any source of ionizing radiation not permitted by, or in an amount in excess of limits prescribed under, the *Food and Drugs Act* (Canada).

21/99

ONTARIO REGULATION 319/99 made under the MEAT INSPECTION ACT

Made: May 5, 1999

Filed: May 6, 1999

Amending O. Reg. 632/92
(General)

Note: Ontario Regulation 632/92 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Subsection 20 (4) of Ontario Regulation 632/92 is amended by striking out "the Health Protection Branch of Health and Welfare Canada" at the end and substituting "Health Canada".

2. Section 37 of the Regulation is amended by striking out "the Health Protection Branch of Health and Welfare Canada" at the end and substituting "Health Canada".

3. Subsection 69 (2) of the Regulation is revoked.

4. Paragraphs 4, 5, 6, 7 and 8 of section 75 of the Regulation are revoked and the following substituted:

4. The *Livestock and Poultry Carcass Grading Regulation* (Canada).

21/99

ONTARIO REGULATION 320/99
made under the
MUNICIPAL ACT

Made: May 4, 1999
Filed: May 6, 1999

Amending O. Reg. 388/98
(Taxes—Telephone Companies)

Note: Ontario Regulation 388/98 has not previously been amended.

1. Ontario Regulation 388/98 is amended by adding the following section:

2. For 1999 and subsequent years, 4 per cent is prescribed for the purposes of subsection 159 (4) of the Act.

ERNIE EVES
Minister of Finance

Dated on May 4, 1999.

21/99

ONTARIO REGULATION 321/99
made under the
FAIRNESS IS A TWO-WAY STREET ACT
(CONSTRUCTION LABOUR MOBILITY), 1999

Made: May 5, 1999
Filed: May 6, 1999

**DESIGNATION UNDER SECTION 25
OF THE ACT**

1. Quebec is a designated jurisdiction for the purposes of the Act.
2. This Regulation comes into force on the day section 25 of the Act is proclaimed in force.

21/99

RÈGLEMENT DE L'ONTARIO 321/99
pris en application de la
**LOI DE 1999 PORTANT QUE LA JUSTICE
N'EST PAS À SENS UNIQUE (MOBILITÉ DE LA
MAIN-D'OEUVRE DANS L'INDUSTRIE
DE LA CONSTRUCTION)**

pris le 5 mai 1999
déposé le 6 mai 1999

**DÉSIGNATION AUX TERMES DE
L'ARTICLE 25 DE LA LOI**

1. Le Québec est un territoire désigné pour l'application de la Loi.
2. Le présent règlement entre en vigueur le jour où l'article 25 de la Loi est proclamé en vigueur.

ONTARIO REGULATION 322/99made under the
SECURITIES ACT

Made: May 5, 1999

Filed: May 6, 1999

Amending Reg. 1015 of R.R.O. 1990
(General)

Note: Since the end of 1998, Regulation 1015 has been amended by Ontario Regulation 1/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Schedule 1 to Regulation 1015 of the Revised Regulations of Ontario, 1990 is amended by adding the following section:

REDUCTION OF ALL FEES

1.1 (1) This section applies with respect to fees that become payable under this Schedule or under a rule on or after August 3, 1999.

(2) The amount of the fee that is otherwise payable under this Schedule or under a rule is reduced by 10 per cent.

(3) The person or company required to pay a fee to which this section applies shall deliver to the Commission a notice setting out,

(a) the amount of the fee otherwise payable under this Schedule or under the rule; and

(b) the amount of the fee payable by virtue of subsection (2).

21/99

ONTARIO REGULATION 323/99made under the
FISH AND WILDLIFE CONSERVATION ACT, 1997

Made: May 5, 1999

Filed: May 7, 1999

Amending O. Reg. 664/98
(Fish Licensing)

Note: Ontario Regulation 664/98 has not previously been amended.

1. Section 9 of Ontario Regulation 664/98 is amended by adding the following subsection:

(5) A holder of a non-resident sport fishing licence shall not take fish in excess of the conservation catch and possession limits set out in the Ontario Fishery Regulations if the licence holder is camping on Crown land located in the area described,

(a) in Divisions 20, 21, 22A, 24, 30, 31, 33 or 34 of the Ontario Fishery Regulations; or

(b) in Division 22 of the Ontario Fishery Regulations except the area set out in Schedule A to this Regulation.

21/99

ONTARIO REGULATION 324/99made under the
ENVIRONMENTAL BILL OF RIGHTS, 1993

Made: May 5, 1999

Filed: May 7, 1999

Amending O. Reg. 681/94
(Classification of Proposals for Instruments)

Note: Ontario Regulation 681/94 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Ontario Regulation 681/94 is amended by adding the following Part:

**PART II.1
MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING****INTERPRETATION**

10.1 In this Part, a proposal for an instrument includes a proposal to issue it, amend it or revoke it, whether the amendment or revocation is authorized by the same provision of an Act or regulation that authorizes the issuance of the instrument or by a different provision.

CLASS I PROPOSALS — PLANNING ACT

10.2 (1) In this section,

"Minister" means the Minister of Municipal Affairs and Housing.

(2) The following are Class I proposals for instruments:

1. A proposal for approval by the Minister of an official plan under section 17 of the *Planning Act*.

2. A proposal for approval by the Minister of an amendment to an official plan under section 21 of the *Planning Act*.

3. A proposal for approval by the Minister of a consent under section 53 of the *Planning Act* in an area where there is no official plan in place.

4. A proposal for approval by the Minister of a plan of subdivision under section 51 of the *Planning Act* in an area where there is no official plan in place.

2. This Regulation comes into force on June 1, 1999.

21/99

ONTARIO REGULATION 325/99made under the
ENVIRONMENTAL BILL OF RIGHTS, 1993

Made: May 5, 1999

Filed: May 7, 1999

Amending O. Reg. 73/94
(General)

Note: Ontario Regulation 73/94 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Ontario Regulation 73/94 is amended by adding the following section:

15.5 Part 11 of the *Environmental Bill of Rights, 1993* does not apply to a proposal to make an order under subsection 47 (1) of the *Planning Act* or to amend or revoke an order under subsection 47 (8) of that Act if the proposal has not been implemented by the time this section comes into force.

21/99

ONTARIO REGULATION 326/99
made under the
FAIRNESS IS A TWO-WAY STREET ACT
(CONSTRUCTION LABOUR MOBILITY), 1999

Made: May 7, 1999
Filed: May 7, 1999

GENERAL

1. (1) For the purposes of section 2 of the Act, the security posted shall be a letter of guarantee from a bank to which the *Bank Act* (Canada) applies or a surety bond issued by an insurer licensed under the *Insurance Act*.

(2) The security posted under section 2 of the Act may be used,

(a) to pay a fine under the Act that the contractor is liable for but has not paid, including interest for the late payment of the fine; or

(b) to recover an amount with respect to an Ontario tax that the contractor is liable for but has not paid.

2. (1) The Director shall not register a contractor that is a corporation under subsection 2 (2) of the Act unless the contractor provides proof that the net equity of the corporation is at least \$20,000.

(2) The Director shall not register a contractor that is not a corporation under subsection 2 (3) of the Act unless the contractor provides proof that the contractor's net equity is at least \$10,000.

3. (1) The provisions set out in Schedule 1 are prescribed as legislation under which a contractor must be certified, registered, licensed or issued a permit or authorization for the purposes of subsection 5 (1) of the Act.

(2) All of the municipalities in Ontario are prescribed for the purposes of subsection 5 (1) of the Act.

(3) Section 257.2 of the *Municipal Act* is prescribed as legislation authorizing by-laws for the purposes of subsection 5 (1) of the Act.

4. The agencies, boards and commissions set out in Schedule 2 are prescribed for the purposes of subsection 7 (2) of the Act.

5. The trades, occupations and construction activities listed in Schedule 3 are prescribed for the purposes of section 10 of the Act.

6. For the purposes of section 11 of the Act,

"aggregates" means sand, earth, gravel, stone, rock, a combination of any of them or one or a combination of any of them mixed with ingredients found in cement or asphalt.

7. The legislation set out in Schedule 4 is prescribed for the purposes of both clauses 16 (5) (b) and (c) of the Act.

RÈGLEMENT DE L'ONTARIO 326/99
pris en application de la
LOI DE 1999 PORTANT QUE LA JUSTICE
N'EST PAS À SENS UNIQUE (MOBILITÉ DE LA
MAIN-D'OEUVRE DANS L'INDUSTRIE
DE LA CONSTRUCTION)

pris le 7 mai 1999
déposé le 7 mai 1999

DISPOSITIONS GÉNÉRALES

1. (1) Pour l'application de l'article 2 de la Loi, la garantie à fournir consiste en une lettre de garantie émise par une banque à laquelle s'applique la *Loi sur les banques* (Canada) ou en un cautionnement émis par un assureur titulaire d'un permis délivré en vertu de la *Loi sur les assurances*.

(2) La garantie fournie aux termes de l'article 2 de la Loi peut servir :

a) soit à payer une amende dont l'entrepreneur est redevable aux termes de la Loi mais qu'il n'a pas payée, y compris les intérêts en cas de paiement en retard;

b) soit à recouvrer une somme à l'égard d'une taxe ou d'un impôt de l'Ontario dont l'entrepreneur est redevable mais qu'il n'a pas payé.

2. (1) Le directeur ne doit pas inscrire un entrepreneur qui est une personne morale aux termes du paragraphe 2 (2) de la Loi à moins que celui-ci ne fournisse une preuve que la personne morale dispose d'un avoir net d'au moins 20 000 \$.

(2) Le directeur ne doit pas inscrire un entrepreneur qui n'est pas une personne morale aux termes du paragraphe 2 (3) de la Loi à moins que celui-ci ne fournisse une preuve qu'il dispose d'un avoir net d'au moins 10 000 \$.

3. (1) Les dispositions énoncées à l'annexe 1 sont prescrites, pour l'application du paragraphe 5 (1) de la Loi, comme textes législatifs aux termes desquels un entrepreneur est tenu de s'inscrire ou de se faire délivrer un certificat, une licence, un permis ou une autorisation.

(2) Toutes les municipalités de l'Ontario sont prescrites pour l'application du paragraphe 5 (1) de la Loi.

(3) L'article 257.2 de la *Loi sur les municipalités* est prescrit, pour l'application du paragraphe 5 (1) de la Loi, comme texte législatif qui autorise des règlements municipaux.

4. Les organismes, conseils et commissions énoncés à l'annexe 2 sont prescrits pour l'application du paragraphe 7 (2) de la Loi.

5. Les métiers, professions et activités de construction énoncés à l'annexe 3 sont prescrits pour l'application de l'article 10 de la Loi.

6. La définition qui suit s'applique à l'article 11 de la Loi.

«agrégats» Sable, terre, gravier, pierre, roche, toute combinaison de ceux-ci ou tout mélange d'une combinaison de ceux-ci ou de l'un d'eux avec des ingrédients contenus dans le béton ou l'asphalte.

7. Les textes législatifs énoncés à l'annexe 4 sont prescrits pour l'application des alinéas 16 (5) b) et c) de la Loi.

8. (1) Every individual who is a person resident in a designated jurisdiction is exempt from the Act if the individual is regularly employed by the Crown in right of Ontario or a municipality, a school board, public hospital, university or college of applied arts and technology or an industrial establishment.

(2) Every construction worker who is qualified under the Interprovincial Red Seal Program and who is a person resident in a designated jurisdiction is exempt from subsections 10 (3) and (4) of the Act.

(3) Every apprentice registered in Ontario with a valid contract of apprenticeship who is a person resident in a designated jurisdiction is exempt from section 10 of the Act.

9. This Regulation comes into force on the day section 26 of the Act is proclaimed in force.

Schedule 1

1. Section 21 of the *Employer Health Tax Act*.
2. Sections 5 and 6 of Regulation 213/91 under the *Occupational Health and Safety Act*.
3. Subsections 5 (1) and (1.1) and 39 (3) of the *Retail Sales Tax Act*.

Schedule 2

Ministry of Agriculture, Food and Rural Affairs

Ontario Food Terminal Board

Ministry of the Attorney General

Assessment Review Board

Criminal Injuries Compensation Board

Ministry of Citizenship, Culture and Recreation

Art Gallery of Ontario

McMichael Canadian Art Collection

Ontario Educational Communications Authority [TVO]

Ontario Film Development Corporation

Ontario Heritage Foundation

Ontario Human Rights Commission

Ontario Library Service—North

Ontario Science Centre

Ontario Trillium Foundation

Province of Ontario Council for the Arts

Royal Botanical Gardens

Royal Ontario Museum

Science North

Southern Ontario Library Service

Ministry of Community and Social Services

District social services administration boards

Ministry of Consumer and Commercial Relations

Alcohol and Gaming Commission of Ontario

Liquor Control Board of Ontario

Ministry of Economic Development, Trade and Tourism

Eastern Ontario Development Corporation

Metropolitan Toronto Convention Centre Corporation

Niagara Parks Commission

Northern Ontario Development Corporation

Ontario Development Corporation

Ontario Place Corporation

Ottawa Congress Centre

St. Lawrence Parks Commission

St. Clair Parkway Commission

8. (1) Tous les particuliers qui sont des personnes qui résident dans un territoire désigné sont soustraits à l'application de la Loi s'ils sont régulièrement employés par la Couronne du chef de l'Ontario ou une municipalité, un conseil scolaire, un hôpital public, une université, un collège d'arts appliqués et de technologie ou un établissement industriel.

(2) Tous les travailleurs de la construction qui sont qualifiés dans le cadre du Programme interprovincial du Sceau rouge et qui sont des personnes qui résident dans un territoire désigné sont soustraits à l'application des paragraphes 10 (3) et (4) de la Loi.

(3) Tous les apprentis inscrits en Ontario et parties à un contrat d'apprentissage valide qui sont des personnes qui résident dans un territoire désigné sont soustraits à l'application de l'article 10 de la Loi.

9. Le présent règlement entre en vigueur le jour où l'article 26 de la Loi est proclamé en vigueur.

Annexe 1

1. Article 21 de la *Loi sur l'impôt-santé des employeurs*.
2. Articles 5 et 6 du Règlement 213/91 pris en application de la *Loi sur la santé et la sécurité au travail*.
3. Paragraphes 5 (1) et (1.1) et 39 (3) de la *Loi sur la taxe de vente au détail*.

Annexe 2

Conseil de gestion du gouvernement

Commission du Régime de retraite des fonctionnaires de l'Ontario

Société des casinos de l'Ontario

Société des loteries de l'Ontario

Société immobilière de l'Ontario

Ministère de l'Agriculture, de l'Alimentation et des Affaires rurales

Commission du Marché des produits alimentaires de l'Ontario

Ministère de l'Éducation et de la Formation

Conseil ontarien des affaires collégiales

Conseils d'administration des collèges d'arts appliqués et de technologie

Office de la qualité et de la responsabilité en éducation

Ministère de l'Énergie, des Sciences et de la Technologie

Commission de l'énergie de l'Ontario

Ministère de l'Environnement

Agence ontarienne des eaux

Ministère de la Consommation et du Commerce

Commission des alcools et des jeux de l'Ontario

Régie des alcools de l'Ontario

Ministère de la Santé

Action Cancer Ontario

Comité d'admissibilité médicale (assurance-santé)

Comité d'étude de l'optométrie (assurance-santé)

Comité d'étude de l'ostéopratique (assurance-santé)

Comité d'étude de la chiropratique (assurance-santé)

Comité d'étude de la dentisterie (assurance-santé)

Comité d'étude de la médecine (assurance-santé)

Comité d'étude de la podologie (assurance-santé)

Commission d'appel des établissements de santé

Commission d'appel des hôpitaux

Commission d'appel des services de santé

Commission d'appel pour la protection de la santé

Commission d'étude des laboratoires

Commission de révision des maisons de soins infirmiers

Ministry of Education and Training

Boards of Governors—CAATs
Education Quality and Accountability Office
Ontario Council of Regents—CAATs

Ministry of Energy, Science and Technology

Ontario Energy Board

Ministry of the Environment

Ontario Clean Water Agency

Ministry of Finance

Commodity Futures Advisory Board
Deposit Insurance Corporation of Ontario
Financial Disclosure Advisory Board
Financial Services Commission of Ontario
Financial Services Tribunal
Ontario Financing Authority
Ontario Securities Commission
Stadium Corporation of Ontario Limited

Ministry of Health

Baycrest Hospital Crown Foundation (CF)
Cancer Care Ontario
Chiropody Review Committee (Health Insurance)
Chiropractic Review Committee (Health Insurance)
Community Advisory Boards—Psychiatric Hospitals
Consent and Capacity Board
Dentistry Review Committee (Health Insurance)
District Health Councils
Grand River Hospital
Health Facilities Appeal Board
Health Professions Board
Health Protection Appeal Board
Health Services Appeal Board
Hospital Appeal Board
Laboratory Review Board
Medical Eligibility Committee (Health Insurance)
Medical Review Committee (Health Insurance)
Mount Sinai Hospital
North York General Hospital
North York General Hospital CF
Nursing Homes Review Board
Ontario Mental Health Foundation
Ontario Review Board
Optometry Review Committee (Health Insurance)
Osteopathy Review Committee (Health Insurance)
St. Michael's Hospital CF
Sunnybrook Hospital CF
Toronto East General Hospital CF
Toronto Hospital CF
Women's College and Wellesley Central Hospital CF

Ministry of Labour

Crown Employees Grievance Settlement Board
Ontario Labour Relations Board
Office of the Employer Advisor
Office of the Worker Advisor
Pay Equity Office
Pay Equity Hearings Tribunal
Workplace Safety and Insurance Appeals Tribunal
Workplace Safety and Insurance Board

Management Board of Cabinet

Ontario Casino Corporation
Ontario Lottery Corporation
Ontario Public Service Pension Board
Ontario Realty Corporation

Commission des professions de la santé
Commission du consentement et de la capacité
Commission ontarienne d'examen
Conseils consultatifs communautaires des hôpitaux psychiatriques
Conseils régionaux de santé
Fondation de la Couronne (FC) de l'hôpital Baycrest
FC de l'hôpital de Toronto
FC de l'hôpital North York General
FC de l'hôpital St. Michael's
FC de l'hôpital Sunnybrook
FC de l'hôpital Toronto East General
FC de l'hôpital Women's College et de l'hôpital Wellesley Central
Fondation ontarienne de la santé mentale
Hôpital de Grand River
Hôpital Mount Sinai
Hôpital North York General

Ministère des Affaires civiques, de la Culture et des Loisirs

Centre des sciences de l'Ontario
Collection McMichael d'art canadien
Commission ontarienne des droits de la personne
Conseil des arts de la province de l'Ontario
Fondation du patrimoine ontarien
Jardins botaniques royaux
Musée des beaux-arts de l'Ontario
Musée royal de l'Ontario
Office de la télécommunication éducative de l'Ontario [TFO]
Ontario Trillium Foundation
Science Nord
Service des bibliothèques de l'Ontario — Nord
Service des bibliothèques de l'Ontario — Sud
Société de développement de l'industrie cinématographique ontarienne

Ministère des Affaires municipales et du Logement

Commission de négociation (*Loi sur l'expropriation*)
Commission des affaires municipales de l'Ontario
Commissions locales de logement
Conseil de la zone de développement de Moosonee
Fiducie de régénération du secteur riverain
Société d'aménagement de North Pickering
Société d'hypothèques de l'Ontario
Société de logement de l'Ontario
Tribunal du logement de l'Ontario

Ministère des Finances

Commission des services financiers de l'Ontario
Commission des valeurs mobilières de l'Ontario
Conseil consultatif sur la divulgation des renseignements de nature financière
Conseil consultatif sur la vente à terme de marchandises
Office ontarien de financement
Société ontarienne d'assurance-dépôts
Stadium Corporation of Ontario Limited
Tribunal des services financiers

Ministère des Richesses naturelles

Agence de foresterie du parc Algonquin
Commission de l'escarpement du Niagara

Ministère des Services sociaux et communautaires

Conseils d'administration de district des services sociaux

Ministère des Transports

Régie des transports en commun de la région de Toronto [Réseau GO]

Ministère du Développement du Nord et des Mines

Commission de transport *Ontario Northland*
Société de gestion du Fonds du patrimoine du Nord de l'Ontario

Ministry of Municipal Affairs and Housing

Board of Negotiations (Expropriations Act)
 Local Housing Authorities
 Moosonee Development Area Board
 North Pickering Development Corporation
 Ontario Housing Corporation
 Ontario Mortgage Corporation
 Ontario Municipal Board
 Ontario Rental Housing Tribunal
 Waterfront Regeneration Trust

Ministry of Natural Resources

Algonquin Forestry Authority
 Niagara Escarpment Commission

Ministry of Northern Development and Mines

Northern Ontario Heritage Fund Corporation
 Ontario Northland Transportation Commission

Ministry of the Solicitor General and Correctional Services

Animal Care Review Board
 Fire Safety Commission
 Ontario Board of Parole
 Ontario Civilian Commission on Police Services
 Ontario Police Arbitration Commission

Ministry of Transportation

Toronto Area Transit Operating Authority [GO Transit]

Ministère du Développement économique, du Commerce et du Tourisme

Centre des congrès d'Ottawa
 Commission de la promenade Sainte-Claire
 Commission des parcs du Niagara
 Commission des parcs du Saint-Laurent
 Société d'exploitation de la Place de l'Ontario
 Société de développement de l'Est de l'Ontario
 Société de développement de l'Ontario
 Société de développement du Nord de l'Ontario
 Société du palais des congrès de la communauté urbaine de Toronto

Ministère du Procureur général

Commission d'indemnisation des victimes d'actes criminels
 Commission de révision de l'évaluation foncière

Ministère du Solliciteur général et des Services correctionnels

Commission civile des services policiers de l'Ontario
 Commission d'arbitrage de la police de l'Ontario
 Commission d'étude des soins aux animaux
 Commission de la sécurité-incendie
 Commission des libérations conditionnelles de l'Ontario

Ministère du Travail

Bureau de l'équité salariale
 Bureau des conseillers des travailleurs
 Bureau des conseillers du patronat
 Commission de la sécurité professionnelle et de l'assurance contre les accidents du travail
 Commission de règlement des griefs des employés de la Couronne
 Commission des relations de travail de l'Ontario
 Tribunal d'appel de la sécurité professionnelle et de l'assurance contre les accidents du travail
 Tribunal de l'équité salariale

Schedule 3**TRADES, OCCUPATIONS, CONSTRUCTION ACTIVITIES**

Arborist
 Assembler

 Boiler inspectors
 Boiler driver
 Boilermaker
 Brick and stone mason
 Bricklayer-mason

 Carpenter-joiner
 Cement finisher
 Cement mason (includes Cement finisher)
 Chainperson
 Clerk
 Compressor operator
 Construction boilermaker
 Construction millwright
 Crane operator
 Cutter-skidder

 Distribution welder
 Diver
 Domestic appliance technician—natural gas & propane
 Domestic appliance technician—recreational vehicles
 Driller

 Electrician
 Electrician—construction and maintenance
 Elevating device mechanic
 Elevator mechanic

Annexe 3**MÉTIERS, PROFESSIONS ET ACTIVITÉS DE CONSTRUCTION**

Aide-monteur de lignes
 Arboriculteur
 Assembleur

 Boutefeu
 Briqueteur-maçon

 Calorifugeur
 Carreleur
 Chaîneur
 Charpentier-menuisier
 Charpentier-menuisier général
 Chaudronnier
 Chaudronnier de construction
 Chauffeur de chaudières à vapeur
 Cimentier (y compris le finisseur de béton)
 Cimentier-applicateur
 Commis
 Conducteur d'engins (lignes)
 Conducteur de camion
 Conducteur de camion de lignes
 Couvreur

 Débusqueur
 Dynamiteur de surface

 Électricien
 Électricien — construction et entretien
 Émondeur
 Épisseur (homme de joint)

Equipment operator (lines)
Equipment and vehicle operator

Floor covering installer

Gas fitter
Gas pipeline inspector
Gas piping fitter
Gas technician
General carpenter
General helper
General helper (tile setter)
Generator operator
Glazier and metal mechanic
Groundsperson

Heavy duty equipment mechanic
Heavy equipment mechanic
Heavy equipment operator
Heavy equipment serviceman
High pressure welders
Hoisting engineer branches 1 (mobile crane), 2 (boom truck) and 3 (tower crane)
Hoisting equipment operator "A" and "B"

Industrial maintenance technician—natural gas & propane
Insulator
Insulator (heat and frost)
Instrument man (surveyor)
Interior systems installer
Internal combustion alternate fuel technician—natural gas or propane or both
Internal combustion alternate fuel technician (industrial vehicle)—natural gas or propane or both
Ironworker

Labourer (pipe-line)
Labourer
Lather (drywall, acoustic and lathing applicator)
Line truck driver
Lineperson (transmission and distribution lines)
Lineworker
Liquid propane fitter

Mechanic (lines)
Millwright

Oil burner technician
Oiler
Oil pipeline inspector
Ornamental ironworker

Painter
Painter decorator (commercial and residential)
Petroleum equipment mechanic (gasoline)
Pipe fitter—specialty of plumber
Pipe fitter—specialty of the fire protection mechanic or pipe fitter—specialty of the sprinkler installer
Pipe fitter—specialty of the heating systems installer
Pipe welder
Pipeline welder
Plasterer
Plumber
Power lineworker or construction lineworker
Pressure vessels inspector
Propane cylinder inspector
Propane plant operator
Propane bulk truck operator
Pump and compressor operator
Pump system installer

Refrigeration and air conditioning mechanic

Ferblantier
Ferrailleur
Ferraonnier
Foreur
Frigoriste ou tuyauteur — spécialité du frigoriste

Gardien
Graisseur-huileur
Grutier

Homme d'instrument (arpenteur)
Homme de service sur machines lourdes

Inspecteur d'appareils sous pression
Inspecteur d'oléoducs
Inspecteur de bouteilles de propane
Inspecteur de gazoducs
Inspecteurs des chaudières
Installateur d'équipement pétrolier (essence)
Installateur de revêtements de sol
Installateur de systèmes de pompes
Installateur de systèmes de protection contre les incendies

Maçon
Magasinier
Manoeuvre
Manoeuvre (pipe-line)
Manoeuvre spécialisé
Manoeuvre spécialisé (carreleur)
Mécanicien (lignes)
Mécanicien d'ascenseur (Elevating device mechanic)
Mécanicien d'ascenseur (Elevator mechanic)
Mécanicien d'équipement lourd
Mécanicien de brûleur à mazout
Mécanicien de chantier
Mécanicien de machines fixes
Mécanicien de machines lourdes
Mécanicien en protection-incendie ou tuyauteur — spécialité du poseur de gicleurs
Mécanicien en réfrigération et en climatisation
Mécanicien-monteur de construction
Métier de carrelage
Monteur (lignes de transport d'énergie et de distribution)
Monteur d'acier de structure
Monteur d'installations au propane liquide
Monteur de barres d'armature
Monteur de conduites de gaz
Monteur de tuyaux de vapeur
Monteur-réparateur de lignes
Monteur, réparateur de lignes électriques ou monteur de lignes de construction
Monteur «T» (réseaux de communication)

Opérateur d'appareils de levage «A» et «B»
Opérateur d'équipement lourd
Opérateur d'équipements et de véhicules
Opérateur d'installations au propane
Opérateur d'usines fixes ou mobiles
Opérateur de camion de propane en vrac
Opérateur de génératrices
Opérateur de grues — Divisions 1 (grues mobiles), 2 (camions-grues) et 3 (grues à tour)
Opérateur de pelles mécaniques
Opérateur de pompes et de compresseurs (Compressor operator)
Opérateur de pompes et de compresseurs (Pump and compressor operator)

Peintre
Peintre-décorateur — secteur commercial et résidentiel
Plâtrier
Plombier
Plongeur

Refrigeration mechanic or pipe fitter—specialty of refrigeration
 Reinforcing rodworker
 Reinforcing steel erector
 Resilient flooring layer
 Roofer
 Rope puller

Sheet metal worker
 Shotfirer
 Shovel operator
 Splicer
 Sprinkler and fire protection installer
 Stationary engineer
 Stationary or portable mixing plant operator
 Steamfitter
 Steel erector welder
 Storeperson
 Structural steel erector
 Surface blaster

"T" lineperson (communication network)
 Terrazzo, tile and marble craft
 Tile setter
 Tinsmith
 Tire and body repairperson
 Trimmer
 Truck driver

Underground worker (miner)
 Utility gas: site supervisor

Watchperson
 Welder

Schedule 4

1. *Amusement Devices Act.*
2. *Boilers and Pressure Vessels Act.*
3. *Business Names Act.*
4. *Elevating Devices Act.*
5. *Employer Health Tax Act.*
6. *Energy Act.*
7. *Gasoline Handling Act.*
8. *Highway Traffic Act.*
9. *Limited Partnerships Act.*
10. *Occupational Health and Safety Act.*
11. *Operating Engineers Act.*
12. *Retail Sales Tax Act.*
13. *Trades Qualification and Apprenticeship Act.*
14. *Truck Transportation Act.*
15. *Workplace Safety and Insurance Act, 1997.*

JAMES M. FLAHERTY
 Minister of Labour

Poseur de lattes
 Poseur de matériaux isolants
 Poseur de revêtements souples
 Poseur de systèmes intérieurs
 Préposé aux pneus et au débosselage

Serrurier de bâtiment
 Soudeur
 Soudeur de distribution
 Soudeur de pipe-line
 Soudeur en tuyauterie
 Soudeur monteur d'acier
 Soudeurs à haute pression
 Spécialiste en branchement d'immeubles
 Surveillant de gaz canalisés

Technicien d'appareils électroménagers — gaz naturel et propane
 Technicien d'appareils électroménagers — véhicules de plaisance
 Technicien d'entretien industriel — gaz naturel et propane
 Technicien en carburant de remplacement à combustion interne — gaz naturel ou propane ou les deux
 Technicien en carburant de remplacement à combustion interne (véhicule industriel) — gaz naturel ou propane ou les deux
 Technicien en gaz
 Tireur de câbles
 Tôlier
 Travailleur souterrain (mineur)
 Tuyauteur — spécialité du plombier
 Tuyauteur — spécialité du poseur d'appareils de chauffage

Vitrier et mécanicien des métaux

Annexe 4

1. *Loi sur les attractions.*
2. *Loi sur les chaudières et appareils sous pression.*
3. *Loi sur les noms commerciaux.*
4. *Loi sur les ascenseurs et appareils de levage.*
5. *Loi sur l'impôt-santé des employeurs.*
6. *Loi sur les hydrocarbures.*
7. *Loi sur la manutention de l'essence.*
8. *Code de la route.*
9. *Loi sur les sociétés en commandite.*
10. *Loi sur la santé et la sécurité au travail.*
11. *Loi sur les mécaniciens d'exploitation.*
12. *Loi sur la taxe de vente au détail.*
13. *Loi sur la qualification professionnelle et l'apprentissage des gens de métier.*
14. *Loi sur le camionnage.*
15. *Loi de 1997 sur la sécurité professionnelle et l'assurance contre les accidents du travail.*

JAMES M. FLAHERTY
 Ministre du Travail

Fait le 7 mai 1999.

Dated on May 7, 1999.

ONTARIO REGULATION 327/99
made under the
CEMETERIES ACT (REVISED)

Made: May 5, 1999
Filed: May 7, 1999

Amending O. Reg. 132/92
(Trust Funds)

Note: Ontario Regulation 132/92 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. The Schedule to Ontario Regulation 132/92 is amended by adding the following items:

- 33. Kinloss Mennonite Cemetery, in Lot 3 in Concession 11 in the Township of Kinloss in the County of Bruce.
- 34. North Bend Mennonite Church Cemetery, part of Lot 16 in Concession 12 in the Township of Elderslie in the County of Bruce.
- 35. Old Order Amish Cemetery Kincardine Township, part of Lot 4 in Concession 10 in the Township of Kincardine in the County of Bruce.
- 36. Desboro Old Order Amish Cemetery, in the west part of Lot 23 in Concession 7 in the Township of Sullivan in the County of Grey.
- 37. Bethel Old Order Amish Cemetery, in the west half of Lot 24 in Concession 11 in the Township of West Wawanosh in the County of Huron.

- 38. Howick Orthodox Mennonite Lakelet Cemetery, in Lot 16 in Concession 16 in the Township of Howick in the County of Huron.
- 39. Howick Orthodox Mennonite Cemetery, in Lot 7 in Concession 16 in the Township of Howick in the County of Huron.
- 40. Wroxeter Orthodox Mennonite Church Cemetery, in Lot 20 in Concession A in the Township of Howick in the County of Huron.
- 41. Westdale Mennonite Cemetery, in Lot 10 in Concession 10 in the Township of Minto in the County of Wellington.

21/99

ONTARIO REGULATION 328/99
made under the
SAFETY AND CONSUMER STATUTES
ADMINISTRATION ACT, 1996

Made: May 5, 1999
Filed: May 7, 1999

REPORTS BY DESIGNATED
ADMINISTRATIVE AUTHORITIES

1. The board of a designated administrative authority may give any person a copy of a report that it is required to make under subsection 13 (1) of the Act, even if the Minister has not laid the report before the Assembly as required by subsection 13 (3) of the Act.

21/99

ONTARIO REGULATION 329/99
made under the
ADMINISTRATION OF JUSTICE ACT

Made: May 5, 1999
Filed: May 7, 1999

Amending O. Reg. 293/92
(Ontario Court (General Division) and Court of Appeal—Fees)

Note: Ontario Regulation 293/92 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Paragraph 3 of section 1 of Ontario Regulation 293/92 is amended by adding the following subparagraph:

- xv. a variation information form and the related documents for a motion for a consent variation of child support, with no notice of motion \$75.00

RÈGLEMENT DE L'ONTARIO 329/99
pris en application de la
LOI SUR L'ADMINISTRATION DE LA JUSTICE

pris le 5 mai 1999
déposé le 7 mai 1999

modifiant le Règl. de l'Ont. 293/92
(Cour de l'Ontario (Division générale) et Cour d'appel —
Honoraires et frais)

Remarque : Le Règlement de l'Ontario 293/92 a été modifié antérieurement. Ces modifications sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1998.

1. La disposition 3 de l'article 1 du Règlement de l'Ontario 293/92 est modifiée par adjonction de la sous-disposition suivante :

- xv. une formule de renseignements visant la modification et les documents connexes aux fins d'une motion en vue d'obtenir une modification des aliments pour enfants sur consentement, sans avis de motion 75,00 \$

21/99

ONTARIO REGULATION 330/99
made under the
ADMINISTRATION OF JUSTICE

Made: May 5, 1999
Filed: May 7, 1999

Amending O. Reg. 294/92
(Sheriffs—Fees)

RÈGLEMENT DE L'ONTARIO 330/99
pris en application de la
LOI SUR L'ADMINISTRATION DE LA JUSTICE

pris le 5 mai 1999
déposé le 7 mai 1999

modifiant le Règl. de l'Ont. 294/92
(Shérifs — Honoraires et frais)

Note: Since the end of 1998, Ontario Regulation 294/92 has been amended by Ontario Regulation 4/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

Remarque : Depuis la fin de 1998, le Règlement de l'Ontario 294/92 a été modifié par le Règlement de l'Ontario 4/99. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1998.

1. Subsection 1 (1) of Ontario Regulation 294/92 is amended by adding the following Item:

3. For filing or renewing a writ of execution or order which a sheriff is liable or required to enforce and which is not required to be delivered to a land registrar of a land titles division \$32.00

1. Le paragraphe 1 (1) du Règlement de l'Ontario 294/92 est modifié par adjonction de la disposition suivante :

3. Pour le dépôt ou le renouvellement d'un bref d'exécution forcée ou d'une ordonnance que le shérif est tenu ou chargé d'exécuter et qu'il n'est pas obligatoire de remettre au registrateur d'une division d'enregistrement des droits immobiliers 32,00 \$

21/99

Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1999—05—29

ONTARIO REGULATION 331/99 made under the NORTHERN SERVICES BOARDS ACT

Made: May 6, 1999
Filed: May 10, 1999

SUPPORT FOR A PROPOSAL TO ESTABLISH AN AREA SERVICES BOARD

1. (1) This section applies with respect to all municipalities, including the area municipalities of The Regional Municipality of Sudbury, but, subject to subsections (7) and (8), not with respect to The Regional Municipality of Sudbury.

(2) A proposal to establish an area services board must have,

- (a) the support of the majority of the municipalities in the proposed Board area; and
- (b) the support of the majority of all of the electors, as defined in the *Municipal Act*, in the municipalities in the proposed Board area together with the residents of the unorganized territory in the proposed Board area.

(3) For the purpose of clause (2) (a), the residents of the unorganized territory in the proposed Board area shall be deemed to count as one municipality.

(4) If a municipality supports a proposal, it shall indicate its support by resolution.

(5) A municipality shall state in the resolution the number of electors that it represents for the purpose of determining the support for a proposal.

(6) For the purposes of clause (2) (b),

- (a) if a municipality supports a proposal, all of the electors in the municipality shall be deemed to support it; and
- (b) if the residents of the unorganized territory support a proposal, all of the residents shall be deemed to support it.

(7) If any part of the territory of The Regional Municipality of Sudbury is in a proposed Board area, the proposal must have the support of the Regional Municipality.

(8) If The Regional Municipality of Sudbury supports a proposal, it shall indicate its support by resolution.

2. (1) The procedures to be used to determine whether the residents of the unorganized territory in a proposed Board area support a proposal to establish an area services board are set out in this section and in section 3.

(2) Support for a proposal shall be determined by a majority vote of the residents of the unorganized territory present at a meeting held for the purpose.

(3) Each resident of the unorganized territory is eligible to vote at the meeting.

(4) A resident may call a meeting if the resident has been designated to do so by at least nine other residents.

(5) A resident designated under subsection (4) shall give at least 14 days notice of the meeting,

- (a) by publishing notice of it in a newspaper that is of general circulation throughout the unorganized territory; or
- (b) by any other means that will provide residents with adequate notice of the meeting.

(6) The notice must state the meeting's purpose, the time and place at which it will be held, who is eligible to vote at it and the times and places at which a copy of the proposal may be inspected.

(7) The resident calling the meeting shall ensure that a copy of the proposal is available for inspection within the unorganized territory or in an adjacent municipality at times and at places that provide a reasonable opportunity to residents to inspect it.

(8) The meeting shall be held in the unorganized territory or in an adjacent municipality.

3. (1) A chair shall be elected for the purposes of the meeting by the residents who are present.

(2) The chair shall conduct a vote among the residents who are present to determine whether or not there is majority support for the proposal to establish an area services board.

(3) The chair may make rules with respect to the manner in which the vote is to be conducted, except that voting shall be by secret ballot.

(4) The chair shall record the results of the vote, including the number of votes cast in support of the proposal and the number cast against it.

(5) If more than one meeting is held before a proposal is submitted to the Minister and the results conflict, the decision made at the meeting at which the most votes were cast governs.

(6) Spoiled ballots do not count for the purpose of determining the number of votes cast.

CHRIS HODGSON
Minister of Northern Development and Mines

Dated on May 6, 1999.

22/99

ONTARIO REGULATION 332/99
made under the
ONTARIO DRUG BENEFIT ACT

Made: May 5, 1999
Filed: May 10, 1999

Amending O. Reg. 201/96
(General)

Note: Since the end of 1998, Ontario Regulation 201/96 has been amended by Ontario Regulations 72/99 and 74/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. The definition of "Formulary" in subsection 1 (1) of Ontario Regulation 201/96 is revoked and the following substituted:

"Formulary" means the Ministry of Health publication titled "Drug Benefit Formulary/Comparative Drug Index (No. 36)" and dated November 20, 1998, including the amendments to the publication dated April 15, 1999 and those dated June 1, 1999.

22/99

ONTARIO REGULATION 333/99
made under the
**DRUG INTERCHANGEABILITY AND
DISPENSING FEE ACT**

Made: May 5, 1999
Filed: May 10, 1999

Amending Reg. 935 of R.R.O. 1990
(General)

Note: Since the end of 1998, Regulation 935 has been amended by Ontario Regulations 73/99 and 231/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. The definition of "Formulary" in subsection 1 (1) of Regulation 935 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

"Formulary" means the Ministry of Health publication titled "Drug Benefit Formulary/Comparative Drug Index (No. 36)" and dated November 20, 1998, including the amendments to the publication dated April 15, 1999 and those dated June 1, 1999.

22/99

ONTARIO REGULATION 334/99
made under the
HEALTH INSURANCE ACT

Made: May 10, 1999
Filed: May 10, 1999

Amending Reg. 552 of R.R.O. 1990
(General)

Note: Since the end of 1998, Regulation 552 has been amended by Ontario Regulations 58/99, 59/99, 60/99, 85/99, 108/99, 177/99, 178/99, 201/99, 232/99 and 271/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. (1) Schedule 19 to Regulation 552 of the Revised Regulations of Ontario, 1990 is amended by striking out "on or after Decem-

ber 16, 1996" opposite "City of Kanata" and substituting "on or after December 16, 1996 but before May 10, 1999".

(2) Schedule 19 to Regulation 552 of the Revised Regulations of Ontario, 1990 is amended by striking out "on or after December 16, 1996" opposite "City of London" and substituting "on or after December 16, 1996 but before May 10, 1999".

22/99

ONTARIO REGULATION 335/99
made under the
PLANNING ACT

Made: May 12, 1999
Filed: May 13, 1999

**ZONING AREAS—GEOGRAPHIC TOWNSHIP
OF HALKIRK, TERRITORIAL
DISTRICT OF RAINY RIVER**

1. In this Order,

"accessory", when used to describe a use, building or structure, means a use, building or structure that is normally incidental or subordinate to the principal use, building or structure located on the same lot;

"dwelling unit" means one or more habitable rooms occupied or capable of being occupied as an independent and separate housekeeping establishment in which separate kitchen and sanitary facilities are provided for the exclusive use of the occupants;

"guest cabin" means a building without cooking and sanitary facilities that is accessory to the seasonal dwelling and used only for the purposes of sleeping accommodation;

"lot" means a parcel of land, shown as a lot or block on a registered plan of subdivision;

"seasonal dwelling" means a building containing only one dwelling unit used for recreation, but not occupied as a permanent residence.

2. This Order applies to land in the geographic Township of Halkirk in the Territorial District of Rainy River described as Lots 1 to 13, inclusive, and Block 14 on Plan 48M-374 and Lots 1 to 9, inclusive, on Plan SM-132 both registered in the Land Registry Office for the Land Titles Division of Rainy River (No. 48).

3. (1) Every use of land and every erection, location or use of buildings or structures is prohibited, except one seasonal dwelling and one guest cabin per lot and uses, buildings and structures accessory to a seasonal dwelling.

(2) No structures shall be located within 20 metres of the shoreline, except for docks, saunas, and boathouses.

(3) No building or structure may be located on Block 14 on Plan 48M-374.

4. (1) Nothing in this Order prevents the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner if the dimensions of the original building or structure are not increased or its original use altered.

(2) Nothing in this Order prevents the strengthening or restoration to a safe condition of all or part of any building or structure.

(3) No land to which this Order applies shall be used and no building or structure shall be erected or used except in accordance with the terms of this Order, but nothing in this Order prevents the use of any land, building or structure for any purpose prohibited by this Order if such land, building or structure was lawfully used for such purpose on the day this Order comes into force.

PAULA M. DILL
Assistant Deputy Minister
Provincial-Municipal Relations Division
Ministry of Municipal Affairs and Housing

Dated on May 12, 1999.

22/99

Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1999-06-05

ONTARIO REGULATION 336/99 made under the LEGAL AID SERVICES ACT, 1998

Made: April 6, 1999
Approved: April 21, 1999
Filed: May 19, 1999

Amending O. Reg. 106/99
(Administration of System for Providing Legal Aid Services)

RÈGLEMENT DE L'ONTARIO 336/99 pris en application de la LOI DE 1998 SUR LES SERVICES D'AIDE JURIDIQUE

pris le 6 avril 1999
approuvé le 21 avril 1999
déposé le 19 mai 1999

modifiant le Règl. de l'Ont. 106/99
(Administration du système de prestation de
services d'aide juridique)

Note: Ontario Regulation 106/99 has not previously been amended.

Remarque: Le Règlement de l'Ontario 106/99 n'a pas été modifié antérieurement.

1. Ontario Regulation 106/99 is amended by adding the following French version:

1. Le Règlement de l'Ontario 106/99 est modifié par adjonction de la version française suivante :

ADMINISTRATION DU SYSTÈME DE PRESTATION DE SERVICES D'AIDE JURIDIQUE

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DÉFINITIONS

1. (1) Les définitions qui suivent s'appliquent au présent règlement.

«conseil» Le conseil d'administration de la Société. («board»)

«liquidateur des comptes juridiques» L'employé de la Société qui agit à ce titre. («legal accounts officer»)

«président» Le président de la Société. («president»)

«règlements» Le présent règlement et le Règlement de l'Ontario 107/99. («regulations»)

(2) Dans le présent règlement, la mention d'une liste s'entend en outre d'une section de liste établie conformément au paragraphe 23 (2) de la Loi.

2. Le présent règlement, à l'exclusion des articles 6, 7, 24 et 25, ne s'applique pas à l'égard des services d'aide juridique que fournissent les cliniques ou que fournissent les avocats de service dans les domaines de pratique des cliniques.

3. Les pouvoirs ou les fonctions que le présent règlement attribue au directeur régional peuvent également être exercés par un membre de son personnel.

4. Les pouvoirs ou les fonctions que le présent règlement attribue au liquidateur des comptes juridiques peuvent également être exercés par un membre de son personnel.

5. Les pouvoirs ou les fonctions que le présent règlement attribue au président peuvent également être exercés par un employé de la Société que le président désigne à cette fin.

DEMANDES

6. (1) Les demandes de certificat sont présentées conformément à l'article 24 de la Loi et traitées conformément à ce qui suit :

- les articles 25 à 29 de la Loi;
- les politiques et les priorités qu'a établies la Société aux termes de l'article 12 de la Loi.

(2) Les modalités suivantes sont prescrites à l'égard des demandes de certificat de la part de particuliers qui ne résident pas ordinairement en Ontario :

- Le directeur régional qui reçoit une demande visée au paragraphe 24 (2) de la Loi procède aux enquêtes appropriées, prépare un rapport sur celles-ci et fait parvenir la demande et le rapport au président.
- Le président examine la demande et le rapport, conformément aux politiques et aux priorités qu'a établies la Société aux termes de l'article 12 de la Loi, et peut, à sa discrétion, enjoindre au directeur régional de délivrer un certificat.
- Le président peut assortir un certificat, à sa délivrance, des conditions qu'il estime appropriées.
- Le président peut modifier ou annuler un certificat délivré aux termes du présent paragraphe.
- S'il décide de ne pas enjoindre au directeur régional de délivrer un certificat, le président envoie à l'auteur de la demande un avis de sa décision.

6. La décision que prend le président en vertu du présent paragraphe est définitive.
- (3) Les demandes de services d'aide juridique que doit fournir l'avocat de service sont présentées à ce dernier, ou à une autre personne que désigne le conseil, et sont évaluées conformément à ce qui suit :
- a) les conditions d'admissibilité financière prescrites par le Règlement de l'Ontario 107/99;
 - b) les politiques et les priorités qu'a établies la Société aux termes de l'article 12 de la Loi.
- (4) Les demandes de services d'aide juridique que doit fournir une clinique sont présentées à cette dernière, ou à une personne que désigne le conseil, et sont évaluées conformément à ce qui suit :
- a) les conditions d'admissibilité financière prescrites par le Règlement de l'Ontario 107/99;
 - b) les politiques et les priorités qu'a établies la Société aux termes de l'article 12 de la Loi;
 - c) les conditions auxquelles est subordonné le financement de la clinique aux termes du paragraphe 34 (5) de la Loi;
 - d) les critères de la clinique en matière de sélection des causes.
7. (1) La demande de services d'aide juridique à fournir pour un mineur peut être présentée :
- a) soit par le mineur;
 - b) soit, en son nom, par son père ou sa mère ou par son tuteur.
- (2) La demande de services d'aide juridique à fournir pour un incapable mental peut être présentée en son nom :
- a) par son tuteur aux biens ou tuteur à la personne;
 - b) en l'absence de tuteur, par son procureur constitué en vertu d'une procuration perpétuelle ou en vertu d'une procuration relative au soin de la personne;
 - c) en l'absence de procureur, par un ami ou un parent;
 - d) en l'absence d'amis ou de parents, par le Tuteur et curateur public.
- (3) Malgré le paragraphe (2), la demande de services d'aide juridique à fournir relativement à une demande visée par la *Loi de 1992 sur la prise de décisions au nom d'autrui*, la *Loi sur la santé mentale* ou la *Loi de 1996 sur le consentement aux soins de santé* peut être présentée :
- a) soit par l'incapable;
 - b) soit par un ami ou un parent de l'incapable en son nom.
- (4) La demande de services d'aide juridique à fournir pour un particulier qui n'est pas en mesure de la présenter en personne en raison d'une incapacité physique peut être présentée par un ami ou un parent en son nom.
8. Le certificat réunit les conditions suivantes :
- a) il précise les dates de sa délivrance et de son entrée en vigueur;
 - b) il énonce la nature et l'étendue des services qui doivent être fournis à l'auteur de la demande, notamment le type de liste visé par le certificat;
 - c) il indique si l'auteur de la demande ou la personne responsable de ce dernier est tenu de contribuer au paiement du coût des services aux termes de la partie IV de la Loi;
 - d) il indique les conditions qu'impose le directeur régional en vertu du paragraphe 29 (1) de la Loi.
9. (1) Le directeur régional envoie le certificat à l'auteur de la demande ou à un membre de la liste appropriée.
- (2) L'avocat qui reçoit un certificat :
- a) s'il est en mesure et désireux de le faire, remplit et signe promptement l'acceptation et l'engagement figurant sur le certificat et en renvoie une copie au directeur régional;
 - b) s'il n'est pas en mesure ou désireux de le faire pour quelque raison que ce soit, renvoie promptement le certificat à l'auteur de la demande ou au directeur régional, suivant les circonstances.
10. (1) Si un certificat est délivré mais qu'aucun avocat ne se conforme à l'alinéa 9 (2) a) dans les 90 jours qui suivent la date de sa délivrance :
- a) d'une part, le certificat est réputé expirer à la fin de ce délai;
 - b) d'autre part, la Société envoie promptement à l'auteur de la demande, à sa dernière adresse figurant dans les dossiers du directeur régional, un avis indiquant que le certificat a expiré.
- (2) À la demande de l'avocat qui a reçu un certificat dans les 90 jours qui suivent sa date de délivrance mais qui ne s'est pas conformé à l'alinéa 9 (2) a) dans ce délai, le directeur régional peut rétablir rétroactivement le certificat expiré à une date qui n'est pas antérieure à sa date d'entrée en vigueur initiale.
11. Si aucun certificat n'est délivré, le directeur régional envoie promptement à l'auteur de la demande un avis de refus accompagné :
- a) des motifs de refus du comité régional, si l'article 28 de la Loi s'applique;
 - b) des motifs du directeur régional, dans les autres cas.
12. Le directeur régional peut délivrer un certificat ayant un effet rétroactif à toute personne à qui un avocat a déjà fourni des services juridiques ou autres s'il est convaincu de ce qui suit :
- a) les services ont été fournis dans une situation d'urgence et l'avis indiquant qu'ils ont été fournis est donné au directeur régional dans un délai raisonnable;
 - b) l'auteur de la demande aurait été admissible à des services d'aide juridique lorsque les services ont été fournis;
 - c) aucune demande antérieure relative aux mêmes services n'a été rejetée;
 - d) l'avocat n'a pas accepté de mandat privé pour les services.
13. (1) Les services autorisés par un certificat sont réputés complets lorsque se présente celle des éventualités suivantes qui est antérieure aux autres :

CERTIFICATS

8. Le certificat réunit les conditions suivantes :

- a) il précise les dates de sa délivrance et de son entrée en vigueur;

- 1. Le directeur régional annule le certificat.

2. La demande, l'instance, l'inculpation ou l'accusation a été entièrement réglée par voie de jugement ou de transaction.
3. L'avocat n'arrive pas à obtenir d'instructions de l'auteur de la demande pour aller de l'avant.
4. Trois ans, ou la période plus longue que précise le directeur régional aux termes du paragraphe (2), se sont écoulés depuis la délivrance du certificat.
5. L'avocat est radié du registre.

(2) Sur demande de l'avocat, le directeur régional peut préciser une période plus longue que celle de trois ans pour l'application de la disposition 4 du paragraphe (1).

(3) Lorsqu'un avocat cesse d'agir pour l'auteur d'une demande ou que les services autorisés par le certificat sont réputés complets comme le prévoit le paragraphe (1), l'avocat fait promptement ce qui suit :

- a) il en fait rapport au directeur régional et fournit tout renseignement connexe que celui-ci exige;
- b) il présente un compte définitif conformément à l'article 40;
- c) sous réserve du paragraphe (4), il envoie à l'auteur de la demande, ou à toute autre personne que celui-ci lui désigne :
 - (i) une copie du rapport visé à l'alinéa a),
 - (ii) sur remise d'un récépissé, tous les documents et autres biens de l'auteur de la demande qui sont en la possession de l'avocat.

(4) Le directeur régional peut enjoindre à l'avocat de ne pas fournir les documents et autres biens si, à son avis, le fait de le faire pourrait causer un préjudice à l'auteur de la demande ou pourrait l'embarrasser.

14. (1) Le directeur régional qui se propose d'annuler un certificat en vertu du paragraphe 29 (2) de la Loi envoie un avis de son intention à l'auteur de la demande et à son avocat.

(2) L'avis énonce ce qui suit :

- a) les motifs de l'annulation proposée;
- b) une date, qui doit tomber au moins sept jours après la remise de l'avis, jusqu'à laquelle l'auteur de la demande ou son avocat peut exposer les raisons pour lesquelles le certificat ne devrait pas être annulé.

(3) Si l'auteur de la demande ou l'avocat expose les raisons pour lesquelles le certificat ne devrait pas être annulé, le directeur régional réexamine promptement la question et prend une décision.

(4) Si l'auteur de la demande ou l'avocat n'expose pas de raisons, ou si le directeur régional réexamine la question aux termes du paragraphe (3) et qu'il décide de procéder à l'annulation, le directeur régional envoie un avis d'annulation à l'auteur de la demande et à son avocat.

(5) L'avis d'annulation énonce ce qui suit :

- a) les motifs de l'annulation;
- b) une date, qui doit tomber au moins sept jours après la remise de l'avis, à laquelle l'annulation prend effet;
- c) le droit d'appel prévu au paragraphe (7).

(6) Après que l'avis a été remis à l'avocat, aucun autre service ne doit être fourni aux termes du certificat, sauf ceux que le directeur régional autorise expressément par écrit.

(7) L'auteur de la demande peut interjeter appel de l'annulation auprès du comité régional en signifiant un avis d'appel au directeur régional dans les sept jours qui suivent la remise de l'avis d'annulation.

(8) Lorsqu'un avis d'appel est signifié, le comité régional entend la question et peut :

- a) ordonner l'ajournement de la question en attendant la présentation de tout autre document qu'il estime pertinent;
- b) ordonner le renvoi de la question au directeur régional pour qu'il la réexamine et prenne une décision en tenant compte de nouvelles preuves ou de preuves additionnelles :
 - (i) soit qui ont été présentées au comité régional,
 - (ii) soit que le comité régional lui enjoint d'établir;
- c) confirmer l'annulation du certificat par le directeur régional;
- d) renverser la décision du directeur régional et ordonner le rétablissement du certificat, aux conditions que le comité régional estime appropriées et que le directeur régional aurait pu imposer.

(9) Le paragraphe (6) cesse de s'appliquer si le certificat est rétabli.

15. Si l'auteur de la demande demande l'annulation du certificat :

- a) d'une part, l'article 14 ne s'applique pas, mais le directeur régional envoie un avis d'annulation à l'auteur de la demande et à son avocat;
- b) d'autre part, le directeur régional peut rendre l'annulation rétroactive à une date qui n'est pas antérieure à la date de délivrance du certificat.

16. Le directeur régional peut rétablir un certificat dans les 90 jours qui suivent son annulation si, selon le cas :

- a) il est convaincu que les motifs de l'annulation ne sont plus applicables;
- b) l'auteur de la demande ou l'avocat a satisfait à toutes les exigences auxquelles il n'avait pas encore satisfait relativement au certificat.

APPELS PRÉVUS AUX PARAGRAPHES 30 (1) ET (2) DE LA LOI

17. (1) L'appel devant le comité régional, prévu au paragraphe 30 (1) de la Loi, est interjeté en signifiant au directeur régional, dans les sept jours qui suivent la communication de la décision faisant l'objet de l'appel, un avis d'appel indiquant de quelle décision il s'agit ainsi que les motifs de l'appel.

(2) Le comité régional peut :

- a) ordonner l'ajournement de l'appel en attendant la présentation de tout autre document qu'il estime pertinent;
- b) ordonner le renvoi de la question au directeur régional pour qu'il la réexamine et prenne une décision en tenant compte de nouvelles preuves ou de preuves additionnelles :
 - (i) soit qui ont été présentées au comité régional,
 - (ii) soit que le comité régional lui enjoint d'établir;

- c) accueillir tout ou partie de l'appel et ordonner la délivrance ou la prorogation d'un certificat aux fins visées par la demande, ou à une autre fin que le comité régional estime appropriée, aux conditions qu'il estime appropriées et que le directeur régional aurait pu imposer;
 - d) rejeter l'appel.
- (3) L'auteur de la demande a le même droit d'appel dans le cas d'une décision du directeur régional prise aux termes d'une directive donnée en vertu de l'alinéa (2) b) que dans le cas de la décision initiale du directeur régional.
18. (1) L'appel prévu au paragraphe 30 (2) de la Loi est interjeté en signifiant à la personne désignée aux termes de ce paragraphe, dans les sept jours qui suivent la remise de l'avis de la décision faisant l'objet de l'appel, un avis d'appel indiquant de quelle décision il s'agit ainsi que les motifs de l'appel.

(2) La personne désignée peut :

- a) ordonner l'ajournement de l'appel en attendant la présentation de tout autre document qu'elle estime pertinent;
- b) ordonner le renvoi de la question au directeur régional ou au comité régional pour qu'il la réexamine et prenne une décision en tenant compte de nouvelles preuves ou de preuves additionnelles :
 - (i) soit qui ont été présentées à la personne désignée,
 - (ii) soit que la personne désignée a enjoint au directeur régional d'établir;
- c) accueillir tout ou partie de l'appel et ordonner la délivrance ou la prorogation d'un certificat aux fins visées par la demande, ou à une autre fin que la personne désignée estime appropriée, aux conditions qu'elle estime appropriées et que le directeur régional aurait pu imposer;
- d) rejeter l'appel.

RECouvreMENT DU COÛT DES SERVICES D'AIDE JURIDIQUE

19. Pour l'application de l'alinéa 97 (1) n) de la Loi, le taux d'intérêt prescrit correspond, pour chaque exercice, au taux d'intérêt postérieur au jugement en vigueur pour le dernier trimestre de l'exercice précédent, tel qu'il est publié aux termes de l'alinéa 127 (2) b) de la *Loi sur les tribunaux judiciaires*.

20. (1) La Société peut exercer la discrétion que lui confère l'article 49 de la Loi si le président, le liquidateur des comptes juridiques ou le chef des services de recouvrement de la Société est d'avis que, selon le cas :

- a) le fait de ne pas exercer la discrétion causerait un préjudice grave à l'auteur de la demande ou à la personne responsable;
- b) tout ou partie de la somme due à la Société est irrécouvrable;
- c) l'exercice de la discrétion réduirait la somme globale que la Société devra payer en fin de compte;
- d) l'exercice de la discrétion favoriserait une transaction en temps opportun relativement à l'instance.

(2) La discrétion que l'article 49 de la Loi confère à la Société peut être exercée par le président, le liquidateur des comptes juridiques ou le chef des services de recouvrement.

21. L'avocat qui parvient à une transaction donnant à l'auteur de la demande le droit de recouvrer une somme ou d'autres biens informe promptement la Société des conditions de la transaction et lui fournit sur demande une copie des documents de la transaction.

22. (1) Les règles suivantes s'appliquent si l'auteur d'une demande acquiert le droit à une somme ou à d'autres biens par suite d'un jugement, d'une ordonnance ou d'une transaction :

1. Les parties peuvent s'entendre, avec l'approbation préalable du liquidateur des comptes juridiques, sur les dépens entre parties en faveur de l'auteur de la demande s'ils ne sont pas fixés par voie de liquidation par suite d'un jugement ou d'une ordonnance. En l'absence d'entente ou d'approbation, le liquidateur des comptes juridiques fixe les dépens dans le but de déterminer le montant des dépens qui doit être versé à la Société. L'avocat de l'auteur de la demande verse à la Société tous les dépens recouvrés.
2. Le montant des honoraires et des débours pour les services fournis par l'avocat est ensuite fixé sur une base avocat-client par entente entre l'auteur de la demande et l'avocat avec l'approbation préalable du liquidateur des comptes juridiques. En l'absence d'entente ou d'approbation, le liquidateur des comptes juridiques peut fixer le montant des honoraires et des débours. L'excédent des honoraires et des débours sur les dépens entre parties est également versé à la Société, à moins que le liquidateur des comptes juridiques ne décide qu'un tel versement n'est pas nécessaire dans les circonstances.
3. Si des services juridiques ont été fournis à l'auteur de la demande relativement à la même affaire, mais non aux termes du certificat, le liquidateur des comptes juridiques peut fixer le montant des dépens se rapportant à ces services ainsi que la somme payable sur ces dépens à l'auteur de la demande et à la Société.
4. L'auteur de la demande paie le montant du compte de l'avocat, liquidé aux termes du présent règlement, ainsi que la part proportionnelle des frais généraux de la Société que fixe le président.

(2) Si l'auteur de la demande ou une personne responsable de ce dernier a accepté de contribuer au paiement du coût des services d'aide juridique aux termes de la partie IV de la Loi, l'un ou l'autre paie la moindre des sommes suivantes :

- a) la somme fixée dans l'entente de contribution;
- b) le total de ce qui suit :
 - (i) le montant du compte de l'avocat, liquidé aux termes du présent règlement;
 - (ii) la part proportionnelle des frais généraux de la Société que fixe le président;
 - (iii) les intérêts sur toute contribution en souffrance.

(3) Le paragraphe (2) s'applique qu'une somme ou d'autres biens soient recouverts ou non.

23. Si l'auteur d'une demande acquiert le droit au paiement des dépens ou au recouvrement d'une somme ou d'autres biens par suite d'un jugement, d'une décision ou d'une transaction, les règles suivantes s'appliquent à l'avocat qui agit aux termes d'un certificat relativement à l'affaire :

1. Si l'affaire concerne une demande devant un tribunal administratif ou une autorité expropriante, l'avocat, sauf directive contraire de la Société, dépose un avis auprès de l'organisme après que celui-ci a rendu sa décision. L'avis indique ce qui suit :

- i. l'auteur de la demande est bénéficiaire de services d'aide juridique,
 - ii. la Société a un droit de créance prévu par la loi à l'égard des dépens exigibles aux termes de la Loi,
 - iii. les dépens adjugés à l'auteur de la demande appartiennent à la Société.
2. S'il s'agit d'une affaire où les dépens sont adjugés à l'auteur de la demande, l'avocat fait ce qui suit :
- i. sauf directive contraire de la Société, il liquide les dépens, obtient de l'auteur de la demande qu'il les cède à la Société et dépose un bref de saisie-exécution et l'acte de cession auprès des fonctionnaires compétents,
 - ii. il prend les autres mesures qu'autorise la Société pour recouvrer les dépens.
3. Si l'auteur de la demande a droit au recouvrement d'une somme ou d'autres biens, l'avocat envoie à la personne auprès de qui la somme ou les biens sont recouvrables, à son avocat, le cas échéant, et à tout fonctionnaire auprès de qui le bref de saisie-exécution ou l'ordonnance de paiement a été déposé un avis indiquant ce qui suit :
- i. les dépens payables à l'auteur de la demande appartiennent à la Société aux termes de la Loi,
 - ii. la Société a une charge sur la somme ou les autres biens aux termes de l'article 47 de la Loi,
 - iii. jusqu'à ce qu'il soit donné mainlevée de la charge, aucune somme ne doit être versée ni aucun bien remis ou transféré à l'auteur de la demande.
4. Dès réception des dépens payables à l'auteur de la demande, l'avocat les verse à la Société.
5. Dès réception d'une somme en paiement d'un jugement, d'une décision ou d'une transaction, sauf une somme versée pour les dépens, l'avocat verse à la Société toute somme en souffrance qui lui est due aux termes de la Loi.
6. Avant de livrer à l'auteur de la demande des biens recouvrés ou des titres y afférents, l'avocat fait ce qui suit :
- i. il fait signer à l'auteur de la demande un document approprié ayant pour effet de garantir la charge de la Société,
 - ii. il fait enregistrer le document aux termes de la *Loi sur l'enregistrement des droits immobiliers*, de la *Loi sur l'enregistrement des actes* ou de la *Loi sur les sûretés mobilières*, selon le cas,
 - iii. il envoie au président une copie certifiée conforme du document enregistré.

FONCTIONS DES AVOCATS DE SERVICE

24. (1) Les catégories d'avocats de service sont les suivantes :

1. L'avocat de service en droit de la famille et en droit civil.
2. L'avocat de service en droit criminel.
3. L'avocat de service en droit de la santé mentale.

4. L'avocat de service dans les domaines de pratique des cliniques.
5. L'avocat de service spécial.
6. L'avocat-conseil.

(2) L'avocat de service en droit de la famille et en droit civil a les fonctions suivantes :

1. Il se présente à la Cour de la famille de la Cour supérieure de justice de l'Ontario et à la Cour de justice de l'Ontario aux moments prévus.
2. À la Cour de la famille et à la Cour de justice de l'Ontario :
 - i. il conseille les personnes sur leurs droits et prend les mesures nécessaires pour protéger ceux-ci,
 - ii. il conseille les personnes sur les procédures judiciaires,
 - iii. il prépare ou examine les documents qui doivent être déposés au tribunal,
 - iv. il obtient des ajournements,
 - v. il représente les personnes qui ne sont pas par ailleurs représentées lors de l'audition de motions, des audiences provisoires concernant la garde, l'accès, la protection de l'enfance ou les aliments et lors des audiences préparatoires au procès et des audiences de justification,
 - vi. il aide les personnes à la négociation des transactions et des ordonnances sur consentement et à la médiation.

(3) L'avocat de service en droit criminel a les fonctions suivantes :

1. Il exerce des fonctions liées aux appels interjetés en matière criminelle qui sont appropriées, notamment les fonctions suivantes :
 - i. il aide l'appelant à remplir à l'intention du tribunal un avis indiquant qu'une demande de services d'aide juridique a été présentée relativement à l'appel,
 - ii. il aide l'appelant qui est représenté par un avocat à remplir un avis de retrait de l'appel d'un détenu,
 - iii. il représente l'appelant dans le cadre d'une demande de mise en liberté provisoire par voie judiciaire.
2. Il se présente à la Cour de justice de l'Ontario aux moments prévus.
3. À la Cour de justice de l'Ontario, il aide les personnes qui sont détenues sous garde ou qui ont été assignées à comparaître et inculpées d'infractions, en les conseillant sur leurs droits et en prenant les mesures qui sont appropriées pour protéger ceux-ci, notamment en faisant ce qui suit :
 - i. il représente ces personnes dans le cadre d'une demande de renvoi, d'ajournement ou de mise en liberté provisoire par voie judiciaire, à une audience ou une conférence en vue d'une conclusion, ou dans le cadre de l'inscription d'un plaidoyer de culpabilité,
 - ii. il demande la déjudiciarisation,
 - iii. il présente des observations à l'égard de la sentence si un plaidoyer de culpabilité est inscrit.

(4) L'avocat de service en droit de la santé mentale a les fonctions suivantes, selon ce qui est approprié :

1. Il se présente aux établissements psychiatriques désignés aux termes de la *Loi sur la santé mentale*.

2. À ces établissements, il fait ce qui suit :

- i. il conseille les personnes sur leurs droits et prend les mesures qui sont appropriées pour protéger ceux-ci,
- ii. il reçoit des demandes de certificat.

(5) L'avocat de service dans les domaines de pratique des cliniques a les fonctions suivantes, aux moments prévus :

1. Il se présente aux tribunaux administratifs.

2. À ces tribunaux, il fait ce qui suit :

- i. il conseille les personnes sur leurs droits et prend les mesures qui sont appropriées pour protéger ceux-ci,
- ii. il conseille les personnes sur les procédures de ces tribunaux et les aide à cet égard,
- iii. il prépare ou examine des documents ou aide les personnes à les préparer,
- iv. il obtient des documents pour les personnes ou aide celles-ci à les obtenir,
- v. il obtient des ajournements,
- vi. il représente les personnes dans les instances,

vii. il aide les personnes à la négociation des transactions et des ordonnances sur consentement et à la médiation.

(6) L'avocat de service spécial a les fonctions suivantes :

- 1. Il conseille et aide les personnes compte tenu des circonstances.
- 2. Il reçoit des demandes de certificat au bureau du directeur régional ou ailleurs dans la région, aux moments prévus.

(7) L'avocat-conseil a les fonctions suivantes :

- 1. Il se présente aux lieux et aux moments prévus.
- 2. Il conseille les personnes sur leurs droits.
- 3. Il prépare ou examine des documents.

(8) Les avocats de service de toutes les catégories ont également les fonctions suivantes :

- 1. Ils présentent des rapports à la Société de la manière et dans les délais qu'elle précise.
- 2. Ils fournissent des renseignements sur l'éducation juridique du public.
- 3. Ils effectuent des renvois pertinents à d'autres sources de renseignements, de conseils, d'aide et de représentation.

25. (1) Lorsqu'un avocat a représenté ou conseillé l'auteur d'une demande à titre d'avocat de service, ni lui ni aucun de ses associés dans la pratique du droit ne doit sciemment agir à un autre titre pour l'auteur de la demande relativement à la même question.

(2) Le paragraphe (1) ne s'applique pas si, selon le cas :

- a) l'avocat ou son associé agit pour l'auteur de la demande relativement à la même question avec l'approbation préalable du directeur régional;
- b) l'avocat atteste par écrit au directeur régional qu'il existait déjà une relation avocat-client entre l'auteur de la demande et lui-même ou son associé;
- c) l'avocat ou son associé est employé par la Société ou par une clinique.

SOCIÉTÉS ÉTUDIANTES DE SERVICES D'AIDE JURIDIQUE

26. (1) Le doyen de la faculté de droit qui assure le fonctionnement d'une société étudiante de services d'aide juridique assume le contrôle et la supervision de la société et de ses membres.

(2) Sans préjudice de la portée générale du paragraphe (1), le doyen peut, à sa discrétion :

- a) restreindre les fonctions de la société et de ses membres;
- b) mettre fin aux activités de la société, temporairement ou de façon permanente;
- c) préciser les qualités minimales que doit posséder un étudiant pour devenir membre de la société;
- d) retirer à un étudiant sa qualité de membre de la société, temporairement ou de façon permanente, et le réintégrer comme membre.

LISTES

27. (1) Le directeur régional tient un registre exhaustif des noms inscrits sur chaque liste pour la région.

(2) Sur demande de quiconque, le directeur régional fournit les nom et adresse de tous les avocats inscrits sur une liste pour la région.

28. (1) Un avocat peut demander au directeur régional de faire inscrire son nom sur une liste.

(2) Dans la demande, l'avocat fournit les renseignements qu'exige le directeur régional à l'égard de sa pratique, de ses qualités et de son expérience ainsi que de sa qualité de membre du Barreau.

(3) Le directeur régional inscrit le nom sur la liste appropriée sauf si, selon le cas :

- a) l'avocat ne satisfait pas, de l'avis du directeur régional, aux normes applicables, notamment les normes établies dans le cadre du programme d'assurance de la qualité de la Société;
- b) le président a interdit l'inscription du nom aux termes de l'article 29.

(4) Si l'alinéa (3) a) ou b) s'applique, le directeur régional envoie à l'avocat un avis contenant ce qui suit :

- a) les motifs pour lesquels on a refusé d'inscrire son nom;
- b) un énoncé du droit d'examen prévu au paragraphe (5).

(5) L'avocat a droit à un examen par le président ou une autre personne que désigne le conseil si, dans les sept jours qui suivent la remise de l'avis prévu au paragraphe (4), il signifie au président et au directeur régional un avis à cet effet.

29. (1) S'il a des motifs raisonnables d'interdire que le nom d'un avocat soit inscrit sur une liste, le président peut prendre les mesures prévues au présent article.

(2) Le président envoie à l'avocat un avis de son intention et lui donne l'occasion de demander la tenue d'une audience.

(3) La demande d'audience est signifiée à la Société et au directeur régional dans les sept jours qui suivent la remise de l'avis prévu au paragraphe (2).

(4) Le président avise le directeur régional et l'avocat de la décision sur la question :

- a) si une audience a été demandée, après que celle-ci a eu lieu;
- b) si aucune audience n'est demandée, après l'expiration du délai de sept jours.

30. (1) Le directeur régional radie le nom d'un avocat d'une liste si l'avocat le demande et que le président y consent.

(2) Le directeur régional peut exiger d'un avocat à qui s'applique le paragraphe (1) qu'il termine le travail se rapportant aux certificats précisés qu'il a déjà acceptés.

31. (1) Si, à son avis, un avocat ne satisfait pas ou ne satisfait plus aux normes applicables, notamment les normes établies dans le cadre du programme d'assurance de la qualité de la Société, le directeur régional peut prendre les mesures prévues au présent article.

(2) Le directeur régional envoie à l'avocat un avis de son intention de radier son nom d'une liste et lui donne l'occasion de demander la tenue d'une audience.

(3) La demande d'audience est signifiée au directeur régional dans les sept jours qui suivent la remise de l'avis prévu au paragraphe (2).

(4) Le président conduit l'audience.

(5) Le directeur régional peut radier le nom de la liste :

- a) si l'intention est confirmée après la tenue d'une audience, dès qu'il est informé de la décision;
- b) si aucune audience n'est demandée, après l'expiration du délai de sept jours.

(6) Si une audience est tenue, le directeur régional envoie à l'avocat un avis de la décision, que l'intention soit confirmée ou non.

32. (1) Sous réserve du paragraphe (3), le président peut radier le nom d'un avocat d'une liste dans l'une ou l'autre des circonstances suivantes :

1. Le président a un motif raisonnable de le faire.
2. L'avocat est reconnu coupable de manquement professionnel, pour une conduite liée au fonctionnement de la Société.
3. L'avocat est reconnu coupable d'une infraction criminelle liée au fonctionnement de la Société.

(2) Sous réserve du paragraphe (3), le président peut temporairement radier le nom d'un avocat de toutes les listes dans l'une ou l'autre des circonstances suivantes :

1. Le Barreau signifie à l'avocat une requête relative à sa conduite alléguant une infraction liée au fonctionnement de la Société.

2. Une accusation criminelle est portée contre l'avocat pour une infraction liée au fonctionnement de la Société.

(3) Avant de radier le nom d'un avocat d'une liste en vertu du paragraphe (1) ou (2), le président :

- a) d'une part, envoie à l'avocat un avis de son intention de radier son nom de la liste;
- b) d'autre part, donne l'occasion à l'avocat de demander la tenue d'une audience.

(4) Le président peut réinscrire un nom qui a temporairement été radié en vertu du paragraphe (2) si la plainte ou l'accusation est réglée par conclusion de non-culpabilité.

33. (1) L'avocat dont le nom a été radié d'une liste en vertu de l'article 31 ou 32 fait ce qui suit relativement à la liste :

- a) il signale au directeur régional l'état de tous les travaux non terminés;
- b) il rend compte de ses honoraires et débours conformément aux règlements;
- c) sous réserve du paragraphe (3), il remet chaque dossier de services d'aide juridique en sa possession au directeur régional ou à l'autre avocat que désigne l'auteur de la demande.

(2) À moins que son nom n'ait été réinscrit sur la liste en vertu de l'article 34, l'avocat ne doit :

- a) ni accepter d'autres certificats relativement à la liste;
- b) ni fournir de services aux termes d'un certificat relativement à la liste qu'accepte un autre avocat.

(3) Le directeur régional peut permettre à un avocat à qui s'applique l'alinéa (1) c) de terminer le travail se rapportant aux certificats précisés qu'il a déjà acceptés.

34. (1) L'avocat dont le nom a été radié d'une liste en vertu de l'article 31 ou 32 peut demander au directeur régional d'y faire réinscrire son nom.

(2) Le directeur régional renvoie la demande, accompagnée de ses propres recommandations, au président.

(3) Le président décide promptement s'il y a lieu d'approuver la demande. Il peut mener à cette fin l'enquête qu'il estime nécessaire et il informe dès que possible le directeur régional ainsi que l'avocat de sa décision.

(4) Dès qu'il est informé d'une décision d'approuver la demande, le directeur régional réinscrit le nom sur la liste dès que possible.

35. Le présent règlement n'a pas pour effet de libérer l'avocat dont le nom a été radié d'une liste de ses obligations envers les clients ou la Société.

36. Le présent règlement n'a pas pour effet de porter atteinte au droit de refuser une demande de services professionnels.

37. (1) Chaque personne dont le nom figure sur une liste présente des rapports, fournit des renseignements et rend des comptes conformément au présent règlement.

(2) Le paragraphe (1) s'applique également aux avocats visés au paragraphe 4 (2) du Règlement de l'Ontario 107/99.

COMPTES

38. (1) Le liquidateur des comptes juridiques liquide tous les comptes de l'avocat à l'égard des services d'aide juridique que ce der-

nier fournit aux termes de certificats, sauf les comptes visés au paragraphe (2).

(2) Le compte d'un avocat peut être payé sans être liquidé par le liquidateur des comptes juridiques si les conditions suivantes sont réunies :

- a) le compte total pour les honoraires et débours ne dépasse pas 1 200 \$;
- b) le compte est présenté dans la forme que précise le liquidateur des comptes juridiques;
- c) aucune demande explicite n'a été présentée pour que soit augmenté, de façon discrétionnaire, le montant visé dans la remarque C de l'annexe 1 ou la remarque C de l'annexe 2 du Règlement de l'Ontario 107/99.

(3) Sur demande du président, le liquidateur des comptes juridiques liquide un compte aux termes du paragraphe (1) même si le paragraphe (2) s'applique.

(4) L'auteur d'une demande ou l'autre personne qui est tenu de payer tout ou partie du compte d'un avocat pour des services d'aide juridique peut demander à un liquidateur des comptes juridiques de liquider le compte au plus tard 30 jours après que le compte est mis à la poste.

39. (1) Lorsqu'il liquide un compte, le liquidateur des comptes juridiques envoie à l'avocat qui l'a soumis un avis de liquidation du compte indiquant comment le compte a été traité ainsi que le montant auquel il est liquidé.

(2) Si un compte est payé sans être liquidé, le président envoie à l'avocat qui l'a soumis un avis l'informant que le compte a été payé sans être liquidé et que l'article 46 s'applique.

40. (1) L'avocat qui fournit des services d'aide juridique aux termes d'un certificat présente ses comptes au président au moins aussi fréquemment que l'exigent les dispositions suivantes :

- 1. Au plus tard six mois après le premier anniversaire de la date de délivrance du certificat, un compte est présenté pour tous les services fournis et les débours effectués pendant la période de 12 mois qui suit la date de délivrance du certificat.
- 2. Au plus tard six mois après chaque anniversaire subséquent, un compte est présenté pour tous les services fournis et les débours effectués pendant la période correspondante de 12 mois.

(2) Chaque compte indique les honoraires et les débours, précisant la date et la description (et la durée, le cas échéant) de chaque élément, attestées par l'avocat, et est accompagné de ce qui suit :

- a) une mention précisant si le compte est provisoire ou définitif;
- b) une copie du certificat;
- c) toute autre autorisation écrite relative aux services d'aide juridique ou à la dépense de sommes;
- d) le compte de tout avocat-conseil ou mandataire engagé aux termes du certificat, préparé conformément aux règlements et attesté par l'avocat-conseil ou le mandataire;
- e) une copie de tout rapport prévu au paragraphe 13 (3);
- f) les états suivants si l'avocat a été employé par l'auteur de la demande pour fournir des services à l'égard de la même question avant la délivrance du certificat :

- (i) un état détaillé de ces services,
- (ii) un état détaillé des débours effectués avant la délivrance du certificat,
- (iii) un état de tout paiement effectué par l'auteur de la demande à l'avocat pour ces services et débours;
- g) une copie de toute ordonnance judiciaire ayant trait à la question et se présentant comme ayant une incidence sur la Société;
- h) toute autre pièce justificative qu'exige le liquidateur des comptes juridiques.

(3) L'avocat qui présente un compte et des pièces justificatives aux termes du paragraphe (2) fait également ce qui suit, sous réserve du paragraphe (4) :

- a) il envoie une copie du compte à l'auteur de la demande et à chaque signataire d'une entente de contribution au paiement du coût des services d'aide juridique fournis aux termes du certificat;
- b) il envoie à l'auteur de la demande une copie des états fournis aux termes de l'alinéa (2) f).

(4) Le directeur régional peut enjoindre à l'avocat de ne pas fournir les copies si, à son avis, le fait de le faire pourrait causer un préjudice à l'auteur de la demande ou pourrait l'embarrasser.

41. (1) L'avocat qui agit en tant qu'avocat de service présente au président, promptement après avoir exercé ses fonctions, ce qui suit :

- a) un compte, rédigé dans la forme que précise le liquidateur des comptes juridiques, indiquant les périodes et les endroits où ses services ont été retenus à titre d'avocat de service;
- b) toute demande de remboursement des dépenses.

(2) Le compte est présenté au plus tard six mois après la fin des services auxquels il se rapporte.

42. (1) Si un compte n'est pas conforme au paragraphe 40 (1) ou 41 (2), selon le cas :

- a) d'une part, la Société n'est pas tenue de le payer;
- b) d'autre part, il est renvoyé à l'avocat, accompagné d'un renvoi approprié au présent article.

(2) Malgré le paragraphe (1), le président peut, à sa discrétion et sur demande de l'avocat, proroger le délai de présentation du compte, auquel cas il détermine si le retard a causé un préjudice à la Société (ou à l'auteur de la demande, si le paragraphe 40 (1) s'applique).

(3) La demande de prorogation est présentée au président et elle est motivée.

43. Les honoraires qui sont exigibles par ailleurs aux termes de la Loi et des règlements peuvent être refusés en totalité ou en partie s'ils se rapportent, selon le cas :

- a) à une instance qui :
 - (i) soit a été introduite ou prolongée sans motif raisonnable,
 - (ii) soit n'aurait vraisemblablement pas servi l'intérêt de l'auteur de la demande,
 - (iii) soit a résulté d'une négligence;

b) à la préparation d'un document inapproprié, inutile ou d'une longueur excessive;

c) à d'autres travaux de préparation dont la nature, l'envergure ou la durée ne sont pas justifiées.

44. (1) L'avocat dont le compte a été payé sans être liquidé et qui n'est pas satisfait du montant versé peut demander au liquidateur des comptes juridiques de liquider le compte.

(2) La demande est présentée dans les 60 jours qui suivent le paiement du compte et précise les éléments contestés avec motifs à l'appui.

(3) Le liquidateur des comptes juridiques liquide le compte.

45. (1) Un avocat peut demander que le liquidateur des comptes juridiques examine un compte si celui-ci a été liquidé aux termes de l'article 38 ou 44 et que l'avocat n'est pas satisfait du montant versé.

(2) La demande est présentée au plus tard 60 jours après que le compte est liquidé et précise les éléments contestés avec motifs à l'appui.

(3) Le liquidateur des comptes juridiques examine le compte et peut en modifier ou en confirmer le montant.

46. (1) Si un compte est payé sans être liquidé, le président peut, dans les deux ans qui suivent la date du paiement, mener les enquêtes qu'il estime nécessaires pour vérifier si le compte présenté correspondait au montant normalement exigible aux termes de la Loi et des règlements.

(2) Le président fait vérifier au hasard, dans la période de deux ans, les comptes qui ont été payés sans être liquidés.

47. (1) Si le président a des motifs raisonnables de croire qu'un compte, tel qu'il est ou a été présenté, n'est ou n'était pas normalement exigible aux termes de la Loi et des règlements, il peut mener une enquête pour trancher la question.

(2) L'enquête peut être tenue avant ou après que le compte a été payé.

APPELS RELATIFS AUX COMPTES

48. (1) L'avocat dont le compte a été examiné aux termes de l'article 45 et qui n'est pas satisfait du montant versé peut interjeter appel devant un liquidateur des dépens nommé en vertu de l'article 90 de la Loi sur les tribunaux judiciaires en ce qui a trait :

a) soit à l'interprétation ou à l'application des règlements;

b) soit aux principes sur lesquels le liquidateur des comptes juridiques s'est fondé pour exercer sa discrétion.

(2) L'appel est interjeté en signifiant un avis d'appel à la Société au plus tard 60 jours après que le liquidateur des comptes juridiques a rendu sa décision.

(3) L'avis d'appel indique la décision portée en appel et précise les motifs d'appel.

(4) Après avoir signifié l'avis d'appel, l'appelant obtient du liquidateur des dépens un rendez-vous aux fins de l'audition de l'appel et donne à la Société un préavis d'au moins 60 jours de l'audience.

(5) Les parties à l'appel peuvent se présenter en personne ou se faire représenter par un avocat-conseil.

(6) Le liquidateur des dépens rend sa décision sous forme d'un certificat qui est délivré aux parties. La décision est définitive.

SIGNIFICATION ET REMISE DES DOCUMENTS

49. (1) La signification d'un document qui est exigée par le présent règlement peut s'effectuer :

a) par signification à personne ou par un autre mode de signification directe conformément aux *Règles de procédure civile*;

b) dans le cas du président ou d'un directeur régional, par courrier affranchi adressé à la personne et envoyé à son bureau;

c) dans le cas de l'auteur d'une demande, par courrier affranchi envoyé à sa dernière adresse connue;

d) dans le cas d'un avocat, par courrier affranchi envoyé à son bureau.

(2) L'envoi d'un document qui est exigé par le présent règlement peut s'effectuer :

a) par signification conformément au paragraphe (1);

b) dans le cas de l'auteur d'une demande, par courrier affranchi adressé à l'avocat qui agit pour l'auteur de la demande, le cas échéant.

(3) Le document envoyé par courrier affranchi est réputé remis le septième jour qui suit sa mise à la poste.

Remarque : Malgré l'abrogation du Règlement 710 des Règlements révisés de l'Ontario de 1990 et de ses règlements modificatifs, l'article 98 du Règlement 710 (règle des six mois pour les comptes) continue de s'appliquer à l'égard des certificats délivrés avant le 1^{er} avril 1999.

SIDNEY B. LINDEN
Chair, Transitional Board
Président du conseil transitoire

Dated on April 6, 1999.
Fait le 6 avril 1999.

ONTARIO REGULATION 337/99
made under the
LEGAL AID SERVICES ACT, 1998

Made: April 21, 1999
Filed: May 19, 1999

Amending O. Reg. 107/99
(General)

Note: Ontario Regulation 107/99 has not previously been amended.

1. Ontario Regulation 107/99 is amended by adding the following French version:

DISPOSITIONS GÉNÉRALES

1. (1) Les catégories d'auteurs de demandes de services d'aide juridique sont les suivantes :

1. Les auteurs de demandes de certificats.
2. Les auteurs de demandes de services d'aide juridique que doivent fournir des avocats de service.
3. Les auteurs de demandes de services d'aide juridique que doivent fournir des cliniques.

(2) Les conditions d'admissibilité financière des auteurs de demandes de certificats sont énoncées dans le document du 1^{er} avril 1997 intitulé «Financial Eligibility Criteria: Ontario Legal Aid Plan Policies and Procedures Manual» et produit par le Régime d'aide juridique de l'Ontario.

(3) Les conditions d'admissibilité financière des auteurs de demandes de services d'aide juridique que doivent fournir des avocats de service sont énoncées dans le document d'avril 1998 intitulé «Duty Counsel: Financial Eligibility Test», qui constitue le chapitre 6 du manuel intitulé «Duty Counsel Manual», et produit par le Régime d'aide juridique de l'Ontario.

(4) Les conditions d'admissibilité financière des auteurs de demandes de services d'aide juridique que doivent fournir des cliniques sont énoncées dans le document de mai 1993 intitulé «CFC Policy Guidelines on Financial Eligibility» et produit par le Régime d'aide juridique de l'Ontario.

2. Pour l'application de la partie IV de la Loi, une personne est une personne responsable relativement à l'auteur d'une demande de certificat si, selon le cas :

- a) elle est légalement responsable de fournir des aliments à l'auteur de la demande;
- b) elle a des rapports personnels avec l'auteur de la demande faisant que ce dernier, de l'avis du directeur régional, s'attendrait raisonnablement à une aide financière dans une situation de la gravité de celle qui fait l'objet de la demande de services d'aide juridique;
- c) elle recevrait, de l'avis du directeur régional, un avantage direct si des services d'aide juridique étaient fournis à l'auteur de la demande.

3. (1) Le présent article s'applique à l'égard des honoraires et débours payés aux personnes suivantes :

RÈGLEMENT DE L'ONTARIO 337/99
pris en application de la
LOI DE 1998 SUR LES SERVICES
D'AIDE JURIDIQUE

pris le 21 avril 1999
déposé le 19 mai 1999

modifiant le Règl. de l'Ont. 107/99
(Dispositions générales)

Remarque : Le Règlement de l'Ontario 107/99 n'a pas été modifié antérieurement.

1. Le Règlement de l'Ontario 107/99 est modifié par adjonction de la version française suivante :

- a) les avocats qui fournissent des services aux termes de certificats;
- b) les avocats qui agissent à titre d'avocats de service et qui ne sont pas des employés de la Société ou d'une clinique.

(2) Les honoraires et les débours sont établis de la manière suivante :

1. Les honoraires sont calculés aux termes des annexes 1, 2, 3, 4 et 5.

2. Les débours sont calculés aux termes de l'annexe 6.

3. Les honoraires et les débours sont calculés :

i. si l'alinéa (1) a) s'applique, conformément au présent article et aux annexes, tels qu'ils existaient à la délivrance du certificat, quel que soit le moment où le service a été fourni ou les débours effectués,

ii. si l'alinéa (1) b) s'applique, conformément au présent article et aux annexes, tels qu'ils existaient au moment où le service a été fourni ou les débours effectués.

4. Nul ne doit être payé pour fournir plus de 10 heures de services dans une seule journée. Dans le calcul des heures pour l'application de la présente disposition, chaque heure passée au tribunal dans le cadre d'un procès ou d'une enquête préliminaire est comptée comme une demi-heure.

5. Les honoraires à payer à un avocat pour les services fournis au cours d'un exercice donné ne doivent pas être supérieurs à ce qui suit :

i. 157 500 \$ dans le cas d'un avocat qui possède quatre années ou moins d'expérience attestée,

ii. 177 190 \$ dans le cas d'un avocat qui possède plus de quatre années d'expérience attestée mais moins de 10,

iii. 196 875 \$ dans le cas d'un avocat qui possède 10 années ou plus d'expérience attestée.

Pour l'application de la présente disposition, un avocat est considéré comme possédant une expérience attestée dans la mesure où, afin d'obtenir une indemnité pour expérience, il atteste qu'il a l'expérience visée au numéro 14 du tableau de l'annexe 1 ou au numéro 24 du tableau de l'annexe 2.

6. Le président peut autoriser un paiement supérieur à la somme applicable prévue à la disposition 5 s'il estime que cela est nécessaire pour assurer la représentation de l'auteur d'une demande.

4. (1) Un avocat n'a droit au paiement d'honoraires et de débours pour les services fournis aux termes d'un certificat que si les conditions suivantes sont réunies :

- a) son nom figurait sur la liste ou section de liste appropriée au moment où les services ont été fournis;
- b) les services fournis s'inscrivaient dans le cadre du certificat, tel qu'il est modifié le cas échéant.

(2) Malgré l'alinéa (1) a), l'avocat qui est tenu de terminer des travaux aux termes du paragraphe 30 (2) du Règlement de l'Ontario 106/99 ou à qui il est permis de le faire en vertu du paragraphe 33 (3) de ce règlement peut recevoir un paiement pour des services d'aide juridique dont la prestation a commencé aux termes du certificat pendant que son nom figurait sur la liste ou section de liste appropriée, mais qui s'est terminée après la radiation de son nom.

(3) L'avocat qui n'est pas employé par la Société n'a droit au paiement d'honoraires et de débours pour un service fourni à titre d'avocat de service que si son nom figurait sur la liste ou section de liste appropriée au moment où le service a été fourni.

(4) Le paragraphe (3) ne s'applique pas à l'égard des services fournis par des avocats de service dans les domaines de pratique des cliniques.

5. (1) L'avocat qui accepte un certificat pour la défense d'une instance criminelle avise promptement le directeur régional dans l'une ou l'autre des circonstances suivantes :

- 1. Dans le cas d'une question autre qu'une inculpation de meurtre au premier degré ou au deuxième degré, le total des honoraires et des débours dépassera vraisemblablement 20 000 \$.
- 2. Dans le cas d'une inculpation de meurtre au premier degré ou au deuxième degré, le total des honoraires et des débours dépassera vraisemblablement 30 000 \$.
- 3. Dans le cas d'une instance mettant en cause plus d'un accusé, le total des honoraires et des débours pour tous les accusés dépassera vraisemblablement 50 000 \$.
- 4. L'enquête préliminaire durera vraisemblablement plus de deux semaines.

(2) Sur réception de l'avis, le directeur régional peut tenir une réunion sur la gestion de la cause pour fixer un budget pour l'instance.

(3) Avant la réunion sur la gestion de la cause, le directeur régional peut demander des résumés et d'autres documents sur la cause, auquel cas l'avocat doit les lui fournir.

(4) Le directeur régional et tous les avocats qui fournissent des services aux termes d'un certificat dans le cadre de l'instance assistent à la réunion sur la gestion de la cause.

(5) Les personnes qui assistent à la réunion sur la gestion de la cause tentent de s'entendre sur un budget; si elles n'y parviennent pas, le directeur régional peut en fixer un.

(6) Le budget :

- a) énumère les étapes de l'instance que l'auteur de demande qui est raisonnable et dont les moyens sont modestes autoriserait en vertu d'un mandat privé s'il était informé des choix qui s'offrent à lui, des résultats possibles et des coûts s'y rapportant;

- b) précise la somme que représente le total prévu des honoraires et des débours à l'égard de ces étapes.

(7) Le directeur régional informe le président de l'issue de la réunion sur la gestion de la cause et des détails du budget.

(8) Il peut être interjeté appel, auprès du président, de la décision du directeur régional fixant le budget.

(9) L'avocat qui fournit des services aux termes d'un certificat dans le cadre de l'instance et qui prévoit que les honoraires et les débours dépasseront vraisemblablement la somme fixée dans le budget en avise promptement le directeur régional.

(10) Sur réception de l'avis, le directeur régional peut tenir une réunion sur la gestion de la cause pour examiner et, s'il y a lieu, modifier le budget, auquel cas les paragraphes (4) à (8) s'appliquent avec les adaptations nécessaires.

(11) Les fonctions du directeur régional prévues au présent article peuvent être exercées par la personne qu'il désigne.

(12) Les comptes relatifs aux services fournis aux termes d'un certificat dans le cadre de l'instance sont liquidés conformément aux annexes et au budget.

6. Les exigences suivantes s'appliquent au fonds de réserve pour éventualités prévu au paragraphe 66 (4) de la Loi :

- 1. La Société ouvre un compte conformément à l'article 55 de la Loi pour le fonds et y verse la somme de 20 000 000 \$ à titre de capital.
- 2. Le solde du fonds ne doit pas être supérieur au total de ce qui suit :
 - i. le capital initial, majoré conformément à la disposition 3, le cas échéant,
 - ii. les intérêts courus sur la somme mentionnée à la sous-disposition i,
 - iii. les revenus de placements visés à l'article 7.
- 3. La Société peut, avec l'approbation préalable du lieutenant-gouverneur en conseil, augmenter le capital du fonds.
- 4. Sous réserve des dispositions 5 et 6, la Société peut retirer des sommes du fonds pour couvrir ses frais de fonctionnement.
- 5. La Société avise le procureur général de chaque retrait qu'elle effectue.
- 6. La Société ne peut effectuer un retrait qui porte le total des sommes retirées du fonds à plus de 5 000 000 \$ qu'avec l'approbation préalable du procureur général. La demande d'approbation comprend ce qui suit :
 - i. un exposé des raisons pour lesquelles le retrait est nécessaire,
 - ii. un calendrier de remboursement,
 - iii. un énoncé des dispositions qu'a prises la Société pour éviter qu'un tel besoin se présente de nouveau à l'avenir.
- 7. La Société peut retirer du fonds des intérêts ou des revenus de placements pour financer la prestation de services d'aide juridique. Il n'est pas nécessaire d'en aviser le procureur général.

8. La Société remet au procureur général des rapports financiers trimestriels dans lesquels est indiqué le solde du fonds, réparti selon le capital et les revenus.
9. Au terme de l'exercice 2001-2002, la Société procède à un examen exhaustif du fonctionnement du fonds depuis le 1^{er} avril 1999 et présente un rapport à ce sujet au procureur général.
7. (1) Les pouvoirs en matière de placement énoncés au présent article sont prescrits pour l'application du paragraphe 57 (1) de la Loi.
- (2) La Société peut faire des placements dans ce qui suit :
1. Des obligations, des débetures, des billets ou autres titres de créance émis ou garantis :
 - i. soit par le gouvernement du Canada ou d'une province ou d'un territoire du Canada,
 - ii. soit par un organisme du gouvernement du Canada ou d'une province ou d'un territoire du Canada.
 2. Des obligations, des débetures, des billets ou autres titres de créance d'une personne morale si les conditions suivantes sont réunies :
 - i. les obligations, les débetures ou autres titres de créance sont garantis par la cession à un fiduciaire, au sens de la *Loi sur les fiduciaires*, des versements que le gouvernement du Canada ou d'une province ou d'un territoire du Canada a convenu de faire ou est tenu de faire aux termes d'une loi fédérale, provinciale ou territoriale,
 - ii. les versements visés à la sous-disposition i suffisent à couvrir les sommes payables aux termes des obligations, des débetures ou autres titres de créance, y compris les sommes payables à échéance.
 3. Des récépissés de dépôt, des billets de dépôt, des certificats de dépôt ou de placement, des acceptations ou des titres de placement semblables émis, garantis ou endossés par l'un ou l'autre des établissements suivants :
 - i. une banque mentionnée à l'annexe I ou II de la *Loi sur les banques* (Canada),
 - ii. une société de prêt ou de fiducie inscrite aux termes de la *Loi sur les sociétés de prêt et de fiducie*,
 - iii. une caisse ou une fédération à laquelle s'applique la *Loi de 1994 sur les caisses populaires et les credit unions*,
 - iv. la Caisse d'épargne de l'Ontario.
- (3) La Société ne doit pas faire de placement dans une valeur mobilière qui est exprimée ou payable en devises étrangères.
- (4) Avant que la Société ne fasse un placement dans une valeur mobilière que prescrit le présent règlement, son conseil d'administration adopte un énoncé des politiques et des objectifs de la Société en matière de placement, s'il ne l'a pas déjà fait.
- (5) Si la Société a des placements dans des valeurs mobilières que prescrit le présent règlement, le conseil d'administration exige que le président prépare et lui remette un rapport sur les placements, une fois par année ou plus fréquemment, selon ce que précise le conseil.
- (6) Le rapport sur les placements comprend :
- a) un état du rendement du portefeuille de la Société pendant la période visée par le rapport;
 - b) une déclaration du président sur la question de savoir si, à son avis, tous les placements ont été faits ou non conformément aux politiques et aux objectifs en matière de placement contenus dans l'énoncé adopté aux termes du paragraphe (4);
 - c) tout autre renseignement que le conseil d'administration exige ou qui, de l'avis du président, devrait être inclus.
- (7) Si la Société fait des placements directement plutôt que par l'intermédiaire d'un agent mentionné au paragraphe 57 (2) de la Loi, les membres du conseil d'administration sont assujettis aux mêmes normes que celles qui s'appliqueraient à un agent aux termes du paragraphe 57 (3) de la Loi.
- REMARQUE : Malgré son abrogation par le Règlement de l'Ontario 106/99, le Règlement 710 des Règlements refondus de l'Ontario de 1990 continue de s'appliquer à l'égard de ce qui suit :**
- a) les services fournis par des avocats de service avant le 1^{er} avril 1999;
 - b) les services fournis aux termes de certificats délivrés avant cette date.

Annexe 1

HONORAIRES EN MATIÈRE CRIMINELLE

REMARQUES

- A. Les honoraires payables en matière criminelle sont indiqués dans le tableau de la présente annexe, lequel doit être lu conjointement avec les présentes remarques et les conditions ou les indemnités indiquées dans le tableau.
- B. Tous les honoraires figurant dans la présente annexe peuvent être majorés ou réduits conformément à la remarque C et aux numéros 14.1 et 14.2 du tableau de la présente annexe.
- C. La présente annexe établit le tarif des services d'aide juridique qui correspond aux honoraires habituellement payés par le client dont les moyens sont modestes et, à moins de circonstances exceptionnelles, les honoraires prévus s'appliquent aux services d'aide juridique qui y sont décrits. Toutefois :
 - a) à la demande écrite de l'avocat, le liquidateur des comptes juridiques peut majorer les honoraires s'il est d'avis que cela est justifié eu égard à toutes les circonstances, y compris :
 - (i) le résultat obtenu,
 - (ii) la complexité de l'affaire,
 - (iii) les contributions de l'auteur de la demande ou d'autres personnes,
 - (iv) le nombre réaliste d'heures que l'avocat a réservées en vue d'un long procès et qu'il n'a pas comblées d'une autre façon,
 - (v) tout autre facteur pertinent qui justifierait des honoraires plus élevés;
 - b) le liquidateur des comptes juridiques peut réduire les honoraires s'il est d'avis que cela est approprié :
 - (i) soit en vertu de l'article 43 du Règlement de l'Ontario 106/99,

- (ii) soit dans la mesure où les honoraires demandés dépassent les honoraires qui seraient accordés dans le cas d'une liquidation des honoraires de l'avocat effectuée en vertu de la *Loi sur les procureurs*.
- D. L'avocat prépare son compte conformément à la présente annexe et fournit une description détaillée des services fournis, y compris la date, l'heure, la durée ainsi que la description des services et le nom de la personne qui les a fournis.
- E. Le liquidateur des comptes juridiques peut exiger la preuve et la justification de tous les éléments inclus dans le compte, notamment la production d'inscriptions sur des feuilles de temps.
- F. Pour l'application de la présente annexe, si l'avocat représente deux ou plus de deux personnes inculpées de la même infraction ou d'une infraction similaire découlant des mêmes faits et que les conférences préparatoires au procès avec la Couronne, les instances en matière de mise en liberté provisoire par voie judiciaire, les retraits d'accusations, les audiences préparatoires au procès, les enquêtes préliminaires, les procès, les plaidoyers de culpabilité ou les appels sont entendus par le même tribunal à peu près au même moment, l'avocat n'a droit qu'aux honoraires prévus pour un seul client, majorés de 40 pour cent, et, le cas échéant, aux honoraires additionnels appropriés selon la remarque C.
- G. Si l'avocat représente une personne inculpée de deux infractions ou plus et que les conférences préparatoires au procès avec la Couronne, les instances en matière de mise en liberté provisoire par voie judiciaire, les retraits d'accusations, les audiences préparatoires au procès, les enquêtes préliminaires, les procès, les plaidoyers de culpabilité ou les appels sont entendus par le même tribunal à peu près au même moment, l'avocat n'a droit qu'aux honoraires prévus pour une seule inculpation et, le cas échéant, aux honoraires additionnels appropriés selon la remarque C.
- Si l'avocat représente une personne inculpée de deux infractions ou plus et que les conférences préparatoires au procès avec la Couronne, les instances en matière de mise en liberté provisoire par voie judiciaire, les retraits d'accusations, les audiences préparatoires au procès, les enquêtes préliminaires, les procès, les plaidoyers de culpabilité ou les appels ne sont pas entendus par le même tribunal à peu près au même moment, l'avocat n'a droit qu'aux honoraires prévus pour une seule inculpation à moins qu'il ne convainque le liquidateur des comptes juridiques que sa ligne de conduite était appropriée.
- H. L'avocat qui représente deux ou plus de deux personnes, dont une en vertu d'un mandat privé et une autre en vertu d'un certificat, divulgue au liquidateur des comptes juridiques le fait qu'il représente un client en vertu d'un mandat privé et répartit proportionnellement les débours et le temps de préparation entre ce client et l'auteur de la demande.
- I. L'avocat qui peut facilement conclure qu'un maximum accordé par la présente annexe est nettement insuffisant à l'égard de l'affaire pour laquelle un certificat a été délivré avise promptement le directeur régional et le liquidateur des comptes juridiques des particularités de la cause et leur donne une estimation du temps et des services nécessaires. S'il ne le fait pas, ce facteur est pris en considération dans la liquidation de son compte.
- J. Pour toute affaire qui n'est pas visée par la présente annexe, le liquidateur des comptes juridiques accorde des honoraires raisonnables et, lors du calcul des honoraires normalement payables à l'égard de l'affaire, tient compte de la présente annexe pour des services comparables.
- K. L'avocat peut présenter des comptes provisoires si le solde de son compte non facturé, exception faite des débours, dépasse 500 \$ et également lorsque le liquidateur des comptes juridiques le permet. Toutefois, l'avocat ne peut présenter de compte provisoire pour des services fournis relativement à des appels, sauf si le liquidateur des comptes juridiques le lui permet.
- L. Les règles suivantes s'appliquent à la cause à l'égard de laquelle sont retenus les services d'un avocat adjoint :
1. Pour sa présence au tribunal, l'avocat adjoint reçoit 75 pour cent du taux horaire payable aux termes de la présente annexe.
 2. Pour tous les services autres que sa présence au tribunal, l'avocat adjoint reçoit le taux horaire payable aux termes de la présente annexe, mais sans majoration fondée sur l'expérience.
 3. Le nombre maximal d'heures accordées à l'égard d'une cause peut être majoré de 50 pour cent.
- M. Dans les cas où la présente annexe précise le nombre maximal d'heures accordées pour un groupe de services et où l'avocat demande le paiement d'un ou de plusieurs de ces services mais pas de la totalité, le liquidateur des comptes juridiques établit le nombre d'heures pour lequel l'avocat a droit à un paiement. Lorsqu'il établit ce nombre, le liquidateur des comptes juridiques accorde un nombre d'heures approprié compte tenu des maximums précisés dans la présente annexe.
- N. Sous réserve des remarques B et L, le taux horaire payable pour tous les services en matière criminelle est de 67 \$.

TABLEAU

PARTIE I
INFRACTIONS

Numéro	COLONNE 1	COLONNE 2
		Nombre maximal d'heures accordées
1.	Infractions	
1.1	Prévues par le <i>Code criminel</i> (Canada) : enlèvement; prise d'otage, infractions relatives aux aéronefs (art. 76 et 77); agression sexuelle grave; complot de meurtre; négligence criminelle causant la mort; étouffement; demande de déclaration de délinquant dangereux; extorsion, fait de tuer un enfant non encore né; meurtre; homicide involontaire coupable; vol qualifié; rapports sexuels avec une personne du sexe féminin âgée de moins de 14 ans; trahison, à l'exception des infractions prévues à l'alinéa 47 (2) c); fait de blesser; tentative	

Numéro	COLONNE 1	COLONNE 2
		Nombre maximal d'heures accordées
	de meurtre; fait de conseiller un meurtre; rapt; infractions relatives aux aéronefs (art. 78); voies de fait graves; agression sexuelle armée ou avec menaces; crime d'incendie (art. 433); accusation de complot, à l'exception du complot en vue de commettre un meurtre; négligence criminelle causant des lésions corporelles; fabrication de preuve; séquestration; inceste; infanticide; conduite dangereuse causant la mort; capacité de conduite affaiblie causant la mort; parjure; rapports sexuels avec une personne du sexe féminin âgée de 14 à 16 ans; trahison aux termes de l'alinéa 47 (2) c); tentative de commettre toute infraction énumérée au présent numéro ou aux numéros 1.2 et 1.3, à l'exception de la tentative de meurtre; fait de conseiller toute infraction énumérée au présent numéro ou aux numéros 1.2 et 1.3, à l'exception du fait de conseiller un meurtre.	
1.2	Prévues par la <i>Loi sur les stupéfiants</i> (Canada) : importation; trafic de stupéfiants ou possession en vue du trafic de stupéfiants.	
1.3	Prévues par la <i>Loi sur les aliments et drogues</i> (Canada) : toutes les infractions pour lesquelles la Couronne procède par voie de mise en accusation (à l'exception des infractions relatives au cannabis).	
2.	Services autres que la présence à l'enquête préliminaire et au procès	
2.1	Pour tous les services fournis relativement à l'enquête préliminaire et au procès, notamment : <ul style="list-style-type: none"> a) la préparation, les conférences préparatoires au procès avec la Couronne, les audiences sur la mise en liberté provisoire par voie judiciaire après la première audience, la modification des ordonnances de mise en liberté provisoire par voie judiciaire, les conférences préparatoires au procès avec le juge après la première de ces conférences, le temps d'attente, la correspondance, les communications et la préparation des documents; b) les ajournements et les renvois, à l'exclusion de ce qui suit : <ul style="list-style-type: none"> c) la présence à l'enquête préliminaire ou au procès. Les maximums suivants s'appliquent aux services visés au numéro 2.1 :	
2.2		

Numéro	COLONNE 1	COLONNE 2
		Nombre maximal d'heures accordées
	a) pour la première journée de l'enquête préliminaire ou du procès si l'enquête et le procès durent 10 jours ou moins et que l'auteur de la demande plaide coupable ou que les accusations sont retirées	13
	b) pour la première journée de l'enquête préliminaire ou du procès si l'enquête et le procès durent 10 jours ou moins et que l'auteur de la demande ne plaide pas coupable . .	15
	c) pour la première journée de l'enquête préliminaire ou du procès si l'enquête et le procès durent plus de 10 jours	22
	d) pour chaque journée de l'enquête préliminaire ou du procès après la première journée	4
	e) dans tous les cas, le nombre maximal total d'heures accordées aux termes des alinéas a) et d), aux termes des alinéas b) et d) ou aux termes des alinéas c) et d) est de	64
3.	Présence à l'enquête préliminaire ou au procès	
3.1	Présence à l'enquête préliminaire ou au procès	Aucun maximum

PARTIE II INFRACTIONS

Numéro	COLONNE 1	COLONNE 2
		Nombre maximal d'heures accordées
4.	Infractions	
4.1	Tous les actes criminels non visés à la partie I, les agressions sexuelles commises contrairement à l'article 271 du <i>Code criminel</i> (Canada) et toutes les infractions mixtes pour lesquelles la Couronne choisit de procéder par voie de mise en accusation.	
5.	Honoraires	
5.1	Pour ce qui suit : <ul style="list-style-type: none"> a) la préparation, les conférences préparatoires au procès avec la Couronne, les audiences sur la mise en liberté provisoire par voie judiciaire après la première audience, la modification des ordonnances de mise en liberté provisoire par voie judiciaire, 	

Numéro	COLONNE 1	COLONNE 2
		Nombre maximal d'heures accordées
5.2	<p>les conférences préparatoires au procès avec le juge après la première de ces conférences, le temps d'attente, la correspondance, les communications et la préparation des documents;</p> <p>b) les ajournements et les renvois;</p> <p>c) une demi-journée au tribunal pour un plaidoyer de culpabilité, qu'une accusation pour une autre infraction visée au numéro 4.1 soit retirée ou non,</p> <p>lorsque le nombre total des heures passées sur les services visés à l'alinéa a) n'est pas supérieur à cinq</p>	8,5
	<p>Pour ce qui suit :</p> <p>a) la préparation, les conférences préparatoires au procès avec la Couronne, les audiences sur la mise en liberté provisoire par voie judiciaire après la première audience, la modification des ordonnances de mise en liberté provisoire par voie judiciaire, les conférences préparatoires au procès avec le juge après la première de ces conférences, le temps d'attente, la correspondance, les communications et la préparation des documents;</p> <p>b) les ajournements et les renvois;</p> <p>c) une demi-journée au tribunal pour un plaidoyer de culpabilité ou un retrait de toutes les accusations,</p> <p>lorsque le nombre total des heures passées sur les services visés à l'alinéa a) est supérieur à cinq</p>	13
5.3	<p>Pour ce qui suit :</p> <p>a) la préparation, les conférences préparatoires au procès avec la Couronne, les audiences sur la mise en liberté provisoire par voie judiciaire après la première audience, la modification des ordonnances de mise en liberté provisoire par voie judiciaire, les conférences préparatoires au procès avec le juge après la première de ces conférences, le temps d'attente, la correspondance, les communications et la préparation des documents;</p> <p>b) les ajournements et les renvois;</p> <p>c) deux demi-journées au tribunal pour un plaidoyer de culpabilité ou un retrait de toutes les accusations</p>	13

Numéro	COLONNE 1	COLONNE 2
		Nombre maximal d'heures accordées
5.4	<p>Pour ce qui suit :</p> <p>a) la préparation, les conférences préparatoires au procès avec la Couronne, les audiences sur la mise en liberté provisoire par voie judiciaire après la première audience, la modification des ordonnances de mise en liberté provisoire par voie judiciaire, les conférences préparatoires au procès avec le juge après la première de ces conférences, le temps d'attente, la correspondance, les communications et la préparation des documents;</p> <p>b) les ajournements et les renvois;</p> <p>c) deux demi-journées au tribunal suivant un plaidoyer de non-culpabilité</p>	15
5.5	Lorsqu'une infraction visée au numéro 4.1 fait l'objet d'une enquête préliminaire ou d'un procès et que l'enquête et le procès durent au total plus de deux demi-journées, les honoraires sont facturés conformément à la partie I du présent tableau et non conformément aux numéros 5.1 à 5.4.	
5.6	<p>Malgré le numéro 5.5, lorsqu'un plaidoyer de culpabilité est présenté relativement à une infraction visée au numéro 4.1 et que l'enquête et le procès durent au total plus de deux demi-journées, l'avocat reçoit des honoraires comme suit :</p> <p>a) conformément au numéro 5.3, pour les services fournis jusqu'à concurrence d'une journée au tribunal;</p> <p>b) pour chaque demi-journée au tribunal après la première journée, y compris la préparation, un supplément de</p>	2,5

PARTIE III INFRACTIONS

Numéro	COLONNE 1	COLONNE 2	COLONNE 3
		Nombre maximal d'heures accordées : infractions visées au numéro 6.1	Nombre maximal d'heures accordées : infractions visées au numéro 6.2
6.	Infractions		
6.1	Toutes les infractions punissables sur déclaration de culpabilité par procédure sommaire prévues par		

Numéro	COLONNE 1	COLONNE 2	COLONNE 3
		Nombre maximal d'heures accordées : infractions visées au numéro 6.1	Nombre maximal d'heures accordées : infractions visées au numéro 6.2
6.2	le <i>Code criminel</i> (Canada) et toutes les infractions mixtes pour lesquelles la Couronne choisit de procéder par procédure sommaire. Toutes les infractions provinciales et toutes les infractions punissables sur déclaration de culpabilité par procédure sommaire prévues par les lois fédérales autres que le <i>Code criminel</i> (Canada).		
7.	Honoraires		
7.1	Pour ce qui suit : a) la préparation, les conférences préparatoires au procès avec la Couronne, les audiences sur la mise en liberté provisoire par voie judiciaire après la première audience, la modification des ordonnances de mise en liberté provisoire par voie judiciaire, les conférences préparatoires au procès avec le juge après la première de ces conférences, le temps d'attente, la correspondance, les communications et la préparation des documents; b) les ajournements et les renvois; c) la présence au tribunal, lorsqu'un plaidoyer de culpabilité est présenté	6	5
7.2	Pour ce qui suit : a) la préparation, les conférences préparatoires au procès avec la Couronne, les audiences sur la mise en liberté provisoire par voie judiciaire après la première audience, la modification des ordonnances de mise en liberté		

Numéro	COLONNE 1	COLONNE 2	COLONNE 3
		Nombre maximal d'heures accordées : infractions visées au numéro 6.1	Nombre maximal d'heures accordées : infractions visées au numéro 6.2
	provisoire par voie judiciaire, les conférences préparatoires au procès avec le juge après la première de ces conférences, le temps d'attente, la correspondance, les communications et la préparation des documents; b) les ajournements et les renvois; c) la présence au tribunal, lorsque des accusations sont retirées, sauf si l'accusé est inculpé de plus d'une infraction à l'article 253 ou de vol et de possession découlant des mêmes circonstances . .	8,5	7
7.3	Pour ce qui suit : a) la préparation, les conférences préparatoires au procès avec la Couronne, les audiences sur la mise en liberté provisoire par voie judiciaire après la première audience, la modification des ordonnances de mise en liberté provisoire par voie judiciaire, les conférences préparatoires au procès avec le juge après la première de ces conférences, le temps d'attente, la correspondance, les communications et la préparation des documents; b) les ajournements et les renvois; c) la présence au tribunal pour la première journée de procès, lorsque les numéros 7.1 et 7.2 ne s'appliquent pas	10,5	9

Numéro	COLONNE 1	COLONNE 2	COLONNE 3
		Nombre maximal d'heures accordées : infractions visées au numéro 6.1	Nombre maximal d'heures accordées : infractions visées au numéro 6.2
7.4	Lorsque le numéro 7.1 ou 7.2 s'applique, pour chaque demi-journée de procès après la première journée, y compris la préparation, un supplément de	2,5	2,5
7.5	Lorsque le numéro 7.3 s'applique, pour chaque journée de procès après la première journée, y compris la préparation, un supplément de	5	5

**PARTIE IV
INSTANCES CRIMINELLES ACCESSOIRES**

Numéro	COLONNE 1	COLONNE 2
		Nombre maximal d'heures accordées
8.	Mise en liberté provisoire, <i>Charte canadienne des droits et libertés</i>, audiences d'une commission d'examen visée au Code criminel, audiences préparatoires au procès	
8.1	Pour la préparation et la présence à l'égard de la première demande de mise en liberté provisoire par voie judiciaire	2
8.2	Pour la préparation, y compris la rédaction, la signification et le dépôt de l'avis de motion et du mémoire, et pour la présence à l'audience à l'égard de la première demande d'ordonnance sous le régime de la <i>Charte canadienne des droits et libertés</i>	2
8.3	Pour la préparation et la présence à la première audience préparatoire au procès avec le juge	2
8.4	Pour tous les services relatifs à la demande de révision d'ordonnances rendues en vertu de l'article 515 du <i>Code criminel</i> (Canada), présentée à la Cour supérieure de justice, si ces services sont approuvés par le directeur régional	5
8.5	Pour tous les services fournis relativement à une audience de la commission d'examen visée au <i>Code criminel</i> : a) pour tous les services, à l'exclusion de la présence à l'audience : (i) la première journée d'audience (ii) la deuxième journée d'audience b) pour la présence à l'audience	10 8 Aucun maximum

Numéro	COLONNE 1	COLONNE 2
		Nombre maximal d'heures accordées
8.6	Pour tous les services relatifs à la demande de mise en liberté provisoire en attendant l'appel devant la Cour supérieure de justice, la Cour d'appel ou la Cour suprême du Canada ou relatifs à la demande de mise en liberté en attendant un nouveau procès	5
8.7	Pour tous les services relatifs à la prolongation de la période de liberté provisoire en attendant l'appel devant la Cour supérieure de justice, la Cour d'appel ou la Cour suprême du Canada ou relatifs à la prolongation de la période de liberté en attendant un nouveau procès	3
9.	Appels devant la Cour supérieure de justice	
9.1	Pour tous les services fournis relativement à l'appel d'une déclaration sommaire de culpabilité, interjeté devant la Cour supérieure de justice, à l'exclusion de la présence au tribunal lors de l'audition de l'appel : a) dans le cas de l'appel de la condamnation ou de la condamnation et de la sentence	16
	b) dans le cas de l'appel de la sentence	14
9.2	Pour la présence lors de l'audition de l'appel	Aucun maximum
9.3	Malgré les numéros 9.1 et 9.2, dans le cas de l'appel par exposé de cause d'une déclaration sommaire de culpabilité : a) pour tous les services fournis relativement à l'appel, à l'exclusion de la présence au tribunal lors de l'audition de l'appel, et pour une journée de présence lors de l'audition de l'appel	11
	b) pour chaque journée de présence lors de l'audition de l'appel après la première journée, y compris la préparation	6,5
10.	Appels devant la Cour d'appel	
10.1	Pour tous les services fournis relativement à un appel devant la Cour d'appel, à l'exclusion de la présence au tribunal lors de l'audition de l'appel.	
10.2	Les maximums suivants s'appliquent aux services visés au numéro 10.1 : a) dans le cas de l'appel d'une déclaration de culpabilité ou d'une déclaration de culpabilité et de la sentence	37

Numéro	COLONNE 1	COLONNE 2
		Nombre maximal d'heures accordées
10.3	b) dans le cas de l'appel d'une sentence :	
	(i) si un plaidoyer de culpabilité a été présenté	14
	(ii) si la sentence a été prononcée à la suite d'un procès	16
	Pour la présence lors de l'audition de l'appel	Aucun maximum
11.	Appels devant la Cour suprême du Canada	
11.1	Pour tous les services fournis relativement à un appel devant la Cour suprême du Canada, à l'exclusion de la présence au tribunal lors de l'audition de la demande en autorisation d'appel et de l'appel.	
11.2	Les maximums suivants s'appliquent aux services visés au numéro 11.1 :	
	a) pour la demande en autorisation d'appel	12
	b) pour l'audition de l'appel	37
11.3	Pour la présence lors de l'audition de la demande en autorisation d'appel et de l'appel	Aucun maximum
11.4	Pour la présence au prononcé du jugement	2
12.	Brefs de prérogative	
12.1	Pour la préparation	16
12.2	Pour la présence lors de l'audition du bref de prérogative	Aucun maximum

PARTIE V DIVERS

Numéro	COLONNE 1
	Description du service
13.	Frais de déplacement
13.1	Avec l'approbation du directeur régional, les frais de déplacement sont accordés au taux horaire de 43 \$ si l'avocat doit parcourir, à l'aller, plus de 50 kilomètres à partir de son bureau, dans les cas suivants : <ul style="list-style-type: none"> a) une comparution devant le tribunal à titre d'avocat-conseil au nom de l'auteur d'une demande, à l'exclusion d'un ajournement, de la fixation de la date d'une comparution ou d'une question de procédure semblable; b) un maximum de deux visites avant l'enquête préliminaire à l'auteur d'une demande incarcéré; c) une visite avant le procès à l'auteur d'une demande incarcéré; d) une conférence préparatoire au procès avec le juge avant l'enquête préliminaire;

Numéro	COLONNE 1
	Description du service
	e) une conférence préparatoire au procès avec le juge avant le procès.
13.2	Il peut être interjeté appel de la décision du directeur régional devant le comité régional et un nouvel appel peut être interjeté devant le président.
13.3	Malgré le numéro 13.1, dans le cas des appels interjetés devant la Cour d'appel de l'Ontario et la Cour suprême du Canada, les frais de déplacement sont accordés au taux horaire de 43 \$ si l'avocat doit parcourir, à l'aller, plus de 50 kilomètres à partir de son bureau, pour comparaître à titre d'avocat-conseil au nom de l'auteur de la demande.
13.4	Les frais de déplacement ne doivent pas être accordés si l'avocat doit se déplacer dans les zones suivantes : <ol style="list-style-type: none"> 1. La municipalité régionale de Durham. 2. La partie de la cité de Toronto anciennement appelée cité d'Etonicoke. 3. La municipalité régionale de Halton. 4. La partie de la cité de Toronto anciennement appelée cité de North York. 5. La municipalité régionale de Peel. 6. La partie de la cité de Toronto anciennement appelée cité de Scarborough. 7. Les parties de la cité de Toronto anciennement appelées cité de Toronto, constituée aux termes de la loi intitulée <i>City of Toronto Act, 1834</i>, cité de York et municipalité d'East York. 8. La municipalité régionale de York.
13.5	Les honoraires accordés pour les frais de déplacement dans le sud de l'Ontario ne doivent pas dépasser 30 pour cent du total des honoraires accordés pour les services fournis, tels qu'ils sont liquidés par le liquidateur des comptes juridiques.
13.6	Pour l'application de la présente annexe, la ligne de démarcation entre le nord et le sud de l'Ontario est la suivante : <p>Route (municipale) du lac Healy, du lac Healy vers l'est, jusqu'à son point d'intersection avec la route 612; la route 612, jusqu'à la route 103; la route 103 vers l'est, jusqu'à son point d'intersection avec la route 69; la route 69 vers l'est, jusqu'à son point d'intersection avec la route 118; la route 118 traversant Bracebridge, jusqu'à son point d'intersection avec la route 11; la route 11 vers le nord, jusqu'à son point d'intersection avec la route 60 à Huntsville; la route 60 vers l'est, jusqu'à son point d'intersection avec la route 62 à Killaloe Station; la route 62 jusqu'à Pembroke. Les routes désignées ci-dessus font partie du sud de l'Ontario.</p>
14.	Indemnités pour expérience
14.1	Les honoraires indiqués dans la présente annexe peuvent être majorés de 12,5 pour cent pour l'avocat qui atteste qu'il a l'équivalent de quatre années de pratique en droit criminel.
14.2	Les honoraires indiqués dans la présente annexe peuvent être majorés de 25 pour cent pour l'avocat qui atteste qu'il a l'équivalent de 10 années de pratique à titre

Numéro	COLONNE 1
	Description du service
14.3	d'avocat plaident, dont au moins quatre en droit criminel. Pour l'application de la présente annexe : a) la pratique à titre d'avocat plaident s'entend de la pratique dans le domaine des affaires civiles ou en droit criminel; b) les années de pratique en droit criminel ou à titre d'avocat plaident sont calculées en multipliant le nombre total d'années de pratique de l'avocat par le pourcentage de ses années de pratique en droit criminel ou à titre d'avocat plaident, selon le cas.
15.	Autres affaires
15.1	Dans les affaires visées au paragraphe 25 (4) ou (5) de la Loi, les honoraires sont établis à la discrétion du liquidateur des comptes juridiques, qui tient compte de l'importance et de la difficulté du travail.
15.2	Le liquidateur des comptes juridiques peut accorder des honoraires dans les causes appropriées pour les services fournis à l'égard d'une demande présentée à un comité régional en vertu du paragraphe 25 (4) ou (5) de la Loi lorsque ces services ont été fournis à la demande et au profit du comité régional.
15.3	Le liquidateur des comptes juridiques peut accorder des honoraires à l'avocat pour la préparation d'une opinion ou d'une opinion additionnelle ou pour sa présence en vue de fournir d'autres observations à la demande du comité régional ou du directeur régional.
15.4	Des frais d'administration correspondant à la moitié du taux horaire sont payés à l'avocat lorsqu'il signe et retourne l'acceptation d'un certificat et l'engagement à cet égard.
16.	Jeunes contrevenants
16.1	Les honoraires payables pour tous les services relatifs à une demande de mesures de rechange qui a été accueillie correspondent aux honoraires payables pour un plaidoyer de culpabilité par un adulte pour une infraction du même genre.
16.2	Les honoraires accordés pour les instances introduites en vertu de la <i>Loi sur les jeunes contrevenants</i> (Canada) sont calculés au même taux que celui prévu par la loi créant l'infraction.

Annexe 2

HONORAIRES EN MATIÈRE CIVILE

REMARQUES

A. Les honoraires payables pour les affaires civiles, les affaires relevant du droit de la famille et les affaires portant sur la protection de l'enfance sont indiqués dans le tableau de la présente annexe, lequel doit être lu conjointement avec les présentes remarques et les conditions ou les indemnités indiquées dans le tableau.

A.1 Le tableau est divisé en parties qui s'appliquent comme suit :

1. La partie I indique le taux horaire de base applicable aux affaires civiles, aux affaires relevant du droit de la famille et aux affaires portant sur la protection de l'enfance.

2. La partie II A s'applique aux affaires civiles.

3. La partie II B s'applique aux affaires relevant du droit de la famille; celles-ci s'entendent en outre du fait de donner des conseils aux plaignants dans les affaires criminelles portant sur la violence familiale.

4. La partie II C s'applique aux affaires portant sur la protection de l'enfance découlant de la *Loi sur les services à l'enfance et à la famille*.

5. La partie II D s'applique aux affaires civiles, aux affaires relevant du droit de la famille et aux affaires portant sur la protection de l'enfance.

6. La partie II E s'applique aux appels.

7. La partie II F s'applique aux affaires portant sur l'immigration et les réfugiés.

8. La partie II G s'applique aux affaires portées devant les tribunaux administratifs.

9. La partie II H s'applique à d'autres affaires.

10. La partie III s'applique aux affaires pour lesquelles sont payables des honoraires forfaitaires.

11. La partie IV s'applique aux frais de déplacement, aux indemnités pour expérience et à d'autres affaires.

B. Tous les honoraires figurant dans la présente annexe peuvent être majorés ou réduits conformément à la remarque C et aux numéros 24.1 et 24.2 du tableau de la présente annexe.

C. La présente annexe établit le tarif des services d'aide juridique qui correspond aux honoraires habituellement payés par le client dont les moyens sont modestes et, à moins de circonstances exceptionnelles, les honoraires prévus s'appliquent aux services d'aide juridique qui y sont décrits. Toutefois :

a) à la demande écrite de l'avocat, le liquidateur des comptes juridiques peut majorer les honoraires s'il est d'avis que cela est justifié eu égard à toutes les circonstances, y compris :

(i) le résultat obtenu,

(ii) la complexité de l'affaire,

(iii) les contributions de l'auteur de la demande ou d'autres personnes,

(iv) le nombre réaliste d'heures que l'avocat a réservées en vue d'un long procès ou d'une longue audience et qu'il n'a pas comblées d'une autre façon,

(v) tout autre facteur pertinent qui justifierait des honoraires plus élevés;

b) le liquidateur des comptes juridiques peut réduire les honoraires s'il est d'avis que cela est approprié :

(i) soit en vertu de l'article 43 du Règlement de l'Ontario 106/99,

(ii) soit dans la mesure où les honoraires demandés dépassent les honoraires qui seraient accordés dans le cas d'une liquidation des honoraires de l'avocat effectuée en vertu de la *Loi sur les procureurs*.

D. L'avocat prépare son compte conformément à la présente annexe et fournit une description détaillée des services fournis, y com-

pris la date, l'heure, la durée ainsi que la description des services et le nom de la personne qui les a fournis.

E. Le liquidateur des comptes juridiques peut exiger la preuve et la justification de tous les éléments inclus dans le compte, notamment la production d'inscriptions sur des feuilles de temps.

F. Pour l'application de la présente annexe, si un avocat représente deux ou plus de deux personnes dans la même instance ou une personne dans deux instances ou plus et que les procès, les audiences ou les appels sont entendus par le même tribunal judiciaire ou autre à peu près au même moment, l'avocat n'a droit qu'aux honoraires prévus pour un seul client à l'égard d'une seule instance et, le cas échéant, aux honoraires additionnels appropriés selon la remarque C.

G. L'avocat qui peut facilement conclure qu'un maximum accordé par la présente annexe est nettement insuffisant à l'égard de l'affaire pour laquelle un certificat a été délivré avise promptement le directeur régional et le liquidateur des comptes juridiques des particularités de la cause et leur donne une estimation du temps et des services nécessaires. S'il ne le fait pas, ce facteur est pris en considération dans la liquidation de son compte.

H. Pour toute affaire qui n'est pas visée par la présente annexe, le liquidateur des comptes juridiques accorde des honoraires raisonnables et, lors du calcul des honoraires normalement payables à l'égard de l'affaire, tient compte de la présente annexe pour des services comparables.

I. L'avocat peut présenter des comptes provisoires une fois rendues les décisions à l'égard de toutes les motions visant l'obtention de mesures de redressement provisoires, une fois terminés les interrogatoires préalables, après une conférence préparatoire au procès et également lorsque le liquidateur des comptes juridiques le permet. Toutefois, l'avocat ne peut présenter de compte provisoire pour des services fournis relativement à des appels, sauf si le liquidateur des comptes juridiques le lui permet.

J. Les règles suivantes s'appliquent à la cause à l'égard de laquelle sont retenus les services d'un avocat adjoint :

1. Pour sa présence au tribunal, l'avocat adjoint reçoit 75 pour cent du taux horaire payable aux termes de la présente annexe.
2. Pour tous les services autres que sa présence au tribunal, l'avocat adjoint reçoit le taux horaire payable aux termes de la présente annexe, mais sans majoration fondée sur l'expérience.
3. Le nombre maximal d'heures accordées à l'égard d'une cause peut être majoré de 50 pour cent.

K. Le liquidateur des comptes juridiques peut, à sa discrétion, accorder des honoraires pour la négociation d'une transaction, que celle-ci soit conclue ou non ou qu'une instance ait été introduite ou non.

L. Dans les cas où la présente annexe précise le nombre maximal d'heures accordées pour un groupe de services et où l'avocat demande le paiement d'un ou de plusieurs de ces services mais pas de la totalité, le liquidateur des comptes juridiques établit le nombre d'heures pour lequel l'avocat a droit à un paiement. Lorsqu'il établit ce nombre, le liquidateur des comptes juridiques accorde un nombre d'heures approprié compte tenu des maximums précisés dans la présente annexe.

TABLEAU

**PARTIE I
TAUX HORAIRE
INSTANCES JUDICIAIRES OU QUASI JUDICIAIRES**

Numéro	COLONNE 1	COLONNE 2
	Description du service	Taux horaire
1.	Taux horaire	
1.1	Affaires devant la Cour suprême du Canada, la Cour d'appel de l'Ontario, la Cour supérieure de justice, la Cour fédérale du Canada, la Cour de justice de l'Ontario, une cour des successions ou un tribunal administratif ou quasi judiciaire et autres affaires visées à la partie II du tableau	67 \$
1.2	Le taux horaire ne s'applique pas dans les cas où la partie III du présent tableau prévoit le paiement d'honoraires forfaitaires.	
1.3	La partie II du tableau indique, à la colonne 2, le nombre maximal d'heures accordées pour les services professionnels décrits dans la colonne 1 en regard du nombre d'heures.	

**PARTIE II
NOMBRE MAXIMAL D'HEURES ACCORDÉES**

Numéro	COLONNE 1	COLONNE 2
	Description du service	Nombre maximal d'heures accordées
	A. AFFAIRES CIVILES	
2.	Introduction d'une instance	
2.1	Entrevues préliminaires, consultation juridique et réception d'instructions pour l'introduction d'une action ou d'une requête, ou la présentation d'une défense relativement à l'action ou à la requête, devant un tribunal judiciaire ou un tribunal administratif ou quasi judiciaire, y compris la préparation et la délivrance des actes introductifs d'instance, à l'exclusion des actes de procédure	2,5
2.2	Préparation et remise des actes de procédure, y compris les affidavits à l'appui d'une requête ou en réponse à une requête et les demandes de précisions et les réponses à celles-ci	4
3.	Enquêtes préalables et interrogatoires	
3.1	Préparation de l'avis exigeant la production de documents et des affidavits lors de la production, production et examen de documents et préparation des enquêtes préalables ou des interrogatoires sur une requête ou une motion :	
	a) pour la première heure de chaque interrogatoire	2
	b) pour chaque heure additionnelle de l'interrogatoire	1

Numéro	COLONNE 1	COLONNE 2
	Description du service	Nombre maximal d'heures accordées
3.2	Nombre maximal d'heures accordées pour le numéro 3.1	7
3.3	Présence lors de l'enquête préalable ou de l'interrogatoire sur une requête ou une motion	Aucun maximum
3.4	Préparation et remise d'une demande d'aveux et de la réponse à la demande d'aveux	2
4.	Motions et autres audiences sur des questions interlocutoires	
4.1	Pour les motions relatives à la procédure présentées sans préavis, pour tous les services, y compris la préparation de l'avis de motion et des affidavits, la préparation de l'audience et la présence à celle-ci, si elle est nécessaire, ainsi que l'établissement, la signature et l'inscription de l'ordonnance .	1
4.2	Pour toutes les autres motions et audiences sur des questions interlocutoires, y compris les appels interjetés devant la Cour supérieure de justice : a) pour tous les services, y compris la préparation de l'avis de motion ou de l'avis d'appel et des affidavits, la préparation de l'audience ainsi que l'établissement, la signature et l'inscription de l'ordonnance, à l'exclusion toutefois de la présence à l'audience b) pour la présence à l'audience	4,5 Aucun maximum
4.3	Toute la préparation relative à une motion en autorisation d'interjeter appel de la décision sur une motion visée au numéro 4.1 ou 4.2	2
4.4	Présence lors de l'audition ou de l'ajournement d'une motion en autorisation d'interjeter appel de la décision sur une motion visée au numéro 4.1 ou 4.2	Aucun maximum
5.	Conférences préparatoires au procès et audiences sur les questions en litige	
5.1	Toute la préparation en vue d'une conférence préparatoire au procès, d'une conférence relative à la cause ou d'une audience sur les questions en litige	2
5.2	Présence à une conférence préparatoire au procès, à une conférence relative à la cause ou à une audience sur les questions en litige	Aucun maximum
6.	Correspondance et communications	
6.1	Toute la correspondance et toutes les communications nécessaires (un maximum de 0,2 heure étant accordé pour la facturation)	3

Numéro	COLONNE 1	COLONNE 2
	Description du service	Nombre maximal d'heures accordées
	B. DROIT DE LA FAMILLE	
7.	Droit de la famille	
7.1	Les maximums prévus aux numéros 7.2 à 7.10 comprennent tous les services fournis avant la première audience préparatoire au procès, notamment les entrevues, la correspondance, les communications, les actes de procédure, la préparation d'états financiers, l'enquête préalable, la production, la divulgation, les réunions sur la gestion de la cause devant un juge, les opinions écrites, la présentation de rapports et la facturation (un maximum de 0,2 heure étant accordé pour la facturation).	
7.2	Demandes, requêtes, actions et instances présentées, intentées ou introduites en vertu de la <i>Loi sur le divorce</i> (Canada), la <i>Loi sur le droit de la famille</i> et la <i>Loi portant réforme du droit de l'enfance</i> , et négociation de contrats familiaux prévus par la <i>Loi sur le droit de la famille</i>	12
7.3	Pour les affaires dans lesquelles la garde ou la garde et le droit de visite sont une question en litige, un supplément de	15
7.4	Pour les affaires dans lesquelles le droit de visite est une question en litige, un supplément de	7,5
7.5	Pour les affaires dans lesquelles les aliments à l'égard du conjoint ou d'un enfant, ou les deux, sont une question en litige, un supplément de	9
7.6	Pour les affaires dans lesquelles la possession, la propriété, la désignation ou le calcul de biens familiaux nets ou d'un paiement d'égalisation ou le droit à ceux-ci est une question en litige, un supplément de ..	8
7.7	Pour les affaires dans lesquelles une ordonnance de ne pas communiquer entre conjoints est demandée ou est une question en litige, un supplément de	4
7.8	Entrevues et conseils donnés au plaignant dans une affaire criminelle portant sur la violence familiale	2
7.9	Tous les services relatifs à une requête en modification d'une ordonnance ou d'un accord relatifs aux aliments à fournir à un enfant ou à un conjoint, y compris les entrevues, les conseils, la préparation d'états financiers, l'obtention de la divulgation de renseignements et documents de nature financière, la correspondance, les communications, la négociation, la présence à une conférence sur la modification et la présentation de rapports sur celle-ci, ainsi que la rédaction et le dépôt d'actes de procédure au nom de l'intimé dans les cas d'urgence	7,5

Numéro	COLONNE 1	COLONNE 2
	Description du service	Nombre maximal d'heures accordées
7.10	Pour l'introduction d'une requête en modification d'une ordonnance ou d'un accord relatifs à la fourniture d'aliments ou pour la présentation d'une défense à l'égard de la requête, pour tous les services fournis après la conférence sur la modification jusqu'à la fin de la première conférence préparatoire au procès, un supplément de .	10
7.11	Toute la préparation en vue de la première conférence préparatoire au procès, de la conférence relative à la cause, de la conférence en vue d'une transaction ou de l'audience sur les questions en litige, et la présence à celle-ci	4
C. PROTECTION DE L'ENFANCE		
8.	Protection de l'enfance	
8.1	Les maximums prévus aux numéros 8.2 et 8.3 comprennent tous les services fournis jusqu'à la fin de la première audience préparatoire au procès, notamment les entrevues, la correspondance, les communications, les actes de procédure, les opinions écrites, la préparation en vue des audiences sur la révision du statut de l'enfant et la présence à celles-ci, la présentation de rapports et la facturation (un maximum de 0,2 heure étant accordé pour la facturation).	19
8.2	Toutes les instances introduites en vertu de la <i>Loi sur les services à l'enfance et à la famille</i> , pour tous les services dans les cas où une société d'aide à l'enfance demande une ordonnance de surveillance ou de tutelle par la société	19
8.3	Dans les instances introduites en vertu de la <i>Loi sur les services à l'enfance et à la famille</i> , dans les cas où une société d'aide à l'enfance demande une ordonnance de tutelle par la Couronne	22
8.4	Tous les services relatifs à une motion portant sur les soins et la garde temporaires . .	6
8.5	Préparation en vue d'une audience sur la révision du statut de l'enfant et la présence à celle-ci	6
D. LITIGES		
9.	Procès, renvois et audiences	
9.1	Inscription de l'action ou de la requête pour instruction, préparation et remise de l'avis de procès, présence à l'audience de fixation du rôle et préparation en vue et au cours du procès, du renvoi ou de l'audience concernant la requête : a) après la dernière conférence préparatoire au procès mais avant le premier jour de présence au procès, lors du renvoi ou à l'audience	15

Numéro	COLONNE 1	COLONNE 2
	Description du service	Nombre maximal d'heures accordées
	b) pour chaque jour de présence au procès, lors du renvoi ou à l'audience après le premier jour	4
9.2	Présence au procès, lors du renvoi ou à l'audience concernant la requête	Aucun maximum
9.3	Ajournement du procès, du renvoi ou de l'audience concernant la requête	Aucun maximum
10.	Formalités consécutives au procès, au renvoi ou à l'audience	
10.1	Toutes les formalités nécessaires à la suite du procès, du renvoi ou de l'audience concernant une requête, y compris la signature et l'inscription du jugement, à l'exclusion toutefois des formalités visées aux numéros 10.2, 10.3, 10.4 et 10.5	2
10.2	Toute la préparation en vue de la rencontre ayant pour objet l'établissement du jugement et la présence à celle-ci	1
10.3	Toute la préparation en vue de la liquidation des dépens et présence lors de celle-ci, obtention de la cession des dépens et dépôt d'un bref d'exécution	3
10.4	Préparation en vue de l'interrogatoire à l'appui de l'exécution forcée et présence lors de celui-ci	2
10.5	Préparation en vue d'une audience sur le défaut devant la Cour de justice de l'Ontario ou la Cour de la famille de la Cour supérieure de justice et présence à celle-ci . .	2
10.6	Toutes les autres formalités nécessaires, y compris la préparation et le dépôt d'une demande d'exécution forcée ainsi que la préparation et la délivrance d'un avis de saisie-arêt	2
E. APPELS		
11.	Motion et appel entendus au même moment	
11.1	Si la motion en autorisation d'interjeter appel et l'audition de l'appel sont entendus à peu près au même moment, l'avocat n'a droit qu'aux honoraires relatifs à l'appel.	
12.	Appels devant la Cour suprême du Canada	
12.1	Toute la préparation de l'autorisation d'appel	17
12.2	Présence lors de l'audition de la demande d'autorisation d'appel	Aucun maximum
12.3	Toute la préparation de l'appel	37
12.4	Présence lors de l'audition de l'appel	Aucun maximum

Numéro	COLONNE 1	COLONNE 2
	Description du service	Nombre maximal d'heures accordées
13.	Appels devant la Cour d'appel ou la Cour d'appel fédérale	
13.1	Toute la préparation de la motion en autorisation d'interjeter appel	12
13.2	Présence lors de l'audition de la motion en autorisation d'interjeter appel	Aucun maximum
13.3	Toute la préparation de l'appel	27
13.4	Présence lors de l'audition de l'appel	Aucun maximum
14.	Appels devant la Cour supérieure de justice	
14.1	Toute la préparation, y compris la rédaction et le dépôt de l'avis d'appel et des cahiers d'appel	16
14.2	Présence lors de l'audition de l'appel	Aucun maximum
15.	F. AFFAIRES PORTANT SUR L'IMMIGRATION ET LES RÉFUGIÉS	
15.1	Affaires portant sur l'immigration et les réfugiés	
15.1	Dans les affaires dont est saisie la section du statut de réfugié de la Commission de l'immigration et du statut de réfugié, les appels interjetés devant la section d'appel et les enquêtes menées par un arbitre, toute la préparation avant l'audience, y compris les entrevues, les conseils, le fait de remplir des formulaires de renseignements personnels, la préparation en vue de la procédure préparatoire à l'audience, les opinions écrites, les communications, la correspondance et les motions	16
15.2	Malgré le numéro 15.1, si la demande émane d'un pays pour lequel le taux de succès des demandes d'obtention du statut de réfugié est supérieur à 90 pour cent, tous les services mentionnés au numéro 15.1	10
15.3	Malgré le numéro 15.1, pour les demandes dont est saisie la section du statut de réfugié de la Commission et qui font l'objet d'un traitement accéléré, tous les services mentionnés au numéro 15.1	8
15.4	Présence à l'audience ou lors de la procédure préparatoire à l'audience	Aucun maximum
15.5	Examen d'une ordonnance de mise sous garde :	
	a) toute la préparation	3
	b) toute la préparation pour chaque examen subséquent de la mise sous garde	1
	c) présence à l'audience	Aucun maximum

Numéro	COLONNE 1	COLONNE 2
	Description du service	Nombre maximal d'heures accordées
15.6	Tous les services relatifs aux observations présentées au ministre et aux demandes présentées pour des motifs d'ordre humanitaire	10
15.7	Demandes de contrôle judiciaire et appels interjetés devant la Cour fédérale :	
	a) toute la préparation en vue de la présentation de la motion en autorisation	15
	b) toute la préparation en vue de l'appel ou de la demande	15
	c) malgré les alinéas a) et b), préparation totale en vue de la présentation de la demande d'autorisation et de l'appel ou de la demande	27
	d) présence lors de l'audition de l'appel ou de la demande	Aucun maximum
15.8	Demandes de sursis à l'exécution d'une mesure d'expulsion :	
	a) toute la préparation	6,5
	b) présence lors de l'audition de la demande de sursis	Aucun maximum
16.	G. TRIBUNAUX ADMINISTRATIFS	
16.1	Tribunaux administratifs	
	a) Toute la préparation avant le premier jour de l'audience devant la Commission du consentement et de la capacité, la Commission des libérations conditionnelles de l'Ontario, la Commission nationale des libérations conditionnelles ou le directeur d'une prison	10
	b) Toute la préparation avant le premier jour de l'audience devant d'autres tribunaux quasi judiciaires ou administratifs	8
	c) Toute la préparation avant chaque jour subséquent de l'audience	2
	d) Présence à l'audience	Aucun maximum
	e) Préparation en vue de l'audition distincte d'une deuxième question en litige dans une affaire relevant de la <i>Loi sur la santé mentale</i> , de la <i>Loi de 1992 sur la prise de décisions au nom d'autrui</i> ou de la <i>Loi de 1996 sur le consentement aux soins de santé</i>	3
17.	H. AUTRES AFFAIRES	
17.1	Testaments	
17.1	Tous les services relatifs à la rédaction d'un testament, avec ou sans procuration .	4

**PARTIE III
HONORAIRES FORFAITAIRES**

Numéro	COLONNE 1	COLONNE 2
	Description du service	Honoraires forfaitaires
18.	Divorce non contesté	
18.1	Instance dans les cas de divorce non contesté, y compris les présences préalables à l'instance, les opinions écrites, la préparation et la délivrance de la requête, la signification ainsi que les autres formalités nécessaires, y compris la correspondance, les motions relatives à la procédure non contestées, la motion en vue d'obtenir un jugement, les enquêtes préalables, la préparation en vue du procès, l'inscription pour instruction, la présence au procès, si elle est nécessaire, et les formalités nécessaires à la suite du procès, y compris l'obtention du certificat de divorce	Sans objet
18.2	Si une ordonnance d'adjudication des dépens est rendue, tous les services relatifs au prononcé du jugement, y compris la préparation du mémoire de dépens, la présence lors de la liquidation des dépens, l'obtention de la cession des dépens et le dépôt d'un bref d'exécution	Sans objet
18.3	Aux numéros 18.1 et 18.2, un divorce non contesté s'entend d'un divorce dans lequel aucune demande n'est présentée en vue d'obtenir une mesure de redressement faisant l'objet d'un litige entre les parties.	
19.	Demande de changement de nom non contestée	
19.1	Tous les services relatifs à l'appel du refus d'une demande de changement de nom présentée en vertu de la <i>Loi sur le changement de nom</i>	284 \$
20.	Requête en adoption non contestée	
20.1	Tous les services relatifs à la requête en adoption non contestée : a) si un permis est requis b) si aucun permis n'est requis	500 \$ 340
21.	Motion présentée en vertu de la <i>Loi sur les salaires</i>	
21.1	Tous les services, y compris la préparation, la rédaction des affidavits et des autres documents ainsi que les comparutions devant le juge à l'égard d'une motion visée par l'article 7 de la <i>Loi sur les salaires</i> ...	112 \$
22.	Cour des petites créances	
22.1	Si la somme réclamée est d'au plus 200 \$: a) préparation de la demande b) préparation de la défense c) présence au procès	34 \$ 34 84
22.2	Si la somme réclamée est supérieure à 200 \$ mais ne dépasse pas 400 \$:	

Numéro	COLONNE 1	COLONNE 2
	Description du service	Honoraires forfaitaires
	a) préparation de la demande	44
	b) préparation de la défense	44
	c) présence au procès	112
22.3	Si la somme réclamée est supérieure à 400 \$: a) préparation de la demande b) préparation de la défense c) présence au procès	56 56 140
22.4	Toute la procédure relative à une demande d'ordonnance de consolidation de la Cour des petites créances, y compris les recherches, les affidavits, la signification, la correspondance et les comparutions devant le juge et le greffier	140
22.5	Négociation et rédaction d'un accord pour la répartition proportionnelle des paiements d'un débiteur entre les créanciers ..	140
22.6	Les honoraires relatifs à la réception et à la répartition des paiements effectués en vertu d'un accord visé au numéro 22.5 sont de six pour cent de la somme reçue.	

**PARTIE IV
DIVERS**

Numéro	COLONNE 1
	Description du service
23.	Frais de déplacement
23.1	Avec l'approbation du directeur régional, les frais de déplacement sont accordés au taux horaire de 43 \$ si l'avocat doit parcourir, à l'aller, plus de 50 kilomètres à partir de son bureau pour comparaître à titre d'avocat-conseil au nom de l'auteur d'une demande pour un ajournement, une motion contestée, un interrogatoire préalable, une conférence en vue d'une transaction, une audience préparatoire au procès ou un procès, ou, s'il est nécessaire que l'avocat parcoure plus de 50 kilomètres, à l'aller, à partir de son bureau pour poser des questions à l'auteur d'une demande ou à un témoin.
23.2	Il peut être interjeté appel de la décision du directeur régional devant le comité régional et un nouvel appel peut être interjeté devant le président.
23.3	Malgré le numéro 23.1, dans le cas des appels interjetés devant la Cour d'appel de l'Ontario et la Cour suprême du Canada, des appels ou des demandes de contrôle judiciaire devant la Cour fédérale et des audiences devant la section du statut de réfugié de la Commission de l'immigration et du statut de réfugié, les frais de déplacement sont accordés au taux horaire de 43 \$ si l'avocat doit parcourir, à l'aller, plus de 50 kilomètres à partir de son bureau, pour comparaître à titre d'avocat-conseil au nom de l'auteur de la demande.
23.4	Les frais de déplacement ne doivent pas être accordés si l'avocat doit se déplacer dans les zones suivantes : 1. La municipalité régionale de Durham.

Numéro	COLONNE 1
	Description du service
	<p>2. La partie de la cité de Toronto anciennement appelée cité d'Etobicoke.</p> <p>3. La municipalité régionale de Halton.</p> <p>4. La partie de la cité de Toronto anciennement appelée cité de North York.</p> <p>5. La municipalité régionale de Peel.</p> <p>6. La partie de la cité de Toronto anciennement appelée cité de Scarborough.</p> <p>7. Les parties de la cité de Toronto anciennement appelées cité de Toronto, constituée aux termes de la loi intitulée <i>City of Toronto Act, 1834</i>, cité de York et municipalité d'East York.</p> <p>8. La municipalité régionale de York.</p>
23.5	Les honoraires accordés pour les frais de déplacement dans le sud de l'Ontario ne doivent pas dépasser 30 pour cent du total des honoraires accordés pour les services fournis, tels qu'ils sont liquidés par le liquidateur des comptes juridiques.
23.6	<p>Pour l'application de la présente annexe, la ligne de démarcation entre le nord et le sud de l'Ontario est la suivante :</p> <p>Route (municipale) du lac Healy, du lac Healy vers l'est, jusqu'à son point d'intersection avec la route 612; la route 612, jusqu'à la route 103; la route 103 vers l'est, jusqu'à son point d'intersection avec la route 69; la route 69 vers l'est, jusqu'à son point d'intersection avec la route 118; la route 118 traversant Bracebridge, jusqu'à son point d'intersection avec la route 11; la route 11 vers le nord, jusqu'à son point d'intersection avec la route 60 à Huntsville; la route 60 vers l'est, jusqu'à son point d'intersection avec la route 62 à Killarney Station; la route 62 jusqu'à Pembroke. Les routes désignées ci-dessus font partie du sud de l'Ontario.</p>
24.	Indemnités pour expérience
24.1	Les honoraires indiqués dans la présente annexe peuvent être majorés de 12,5 pour cent pour l'avocat qui atteste qu'il a l'équivalent de quatre années de pratique à titre d'avocat plaçant dans le domaine des affaires civiles.
24.2	Les honoraires indiqués dans la présente annexe peuvent être majorés de 25 pour cent pour l'avocat qui atteste qu'il a l'équivalent de 10 années de pratique à titre d'avocat plaçant, dont au moins quatre dans le domaine des affaires civiles.
24.3	<p>Pour l'application de la présente annexe :</p> <p>a) la pratique à titre d'avocat plaçant s'entend de la pratique dans le domaine des affaires civiles ou en droit criminel;</p> <p>b) les années de pratique à titre d'avocat plaçant dans le domaine des affaires civiles ou dans tout domaine sont calculées en multipliant le nombre total d'années de pratique de l'avocat par le pourcentage de ses années de pratique dans le domaine des affaires civiles ou dans tout domaine, selon le cas.</p>

Numéro	COLONNE 1
	Description du service
25.	Autres affaires
25.1	Dans les affaires visées au paragraphe 25 (4) ou (5) de la Loi, les honoraires sont établis à la discrétion du liquidateur des comptes juridiques, qui tient compte de l'importance et de la difficulté du travail.
25.2	Le liquidateur des comptes juridiques peut accorder des honoraires dans les causes appropriées pour les services fournis à l'égard d'une demande présentée à un comité régional en vertu du paragraphe 25 (4) ou (5) de la Loi lorsque ces services ont été fournis à la demande et au profit du comité régional.
25.3	Le liquidateur des comptes juridiques peut accorder des honoraires à l'avocat pour la préparation d'une opinion ou d'une opinion additionnelle ou pour sa présence en vue de fournir d'autres observations à la demande du comité régional ou du directeur régional.
25.4	Pour la rédaction de documents, à l'exception des contrats, lorsque le sujet ou la nature des documents relève normalement ou habituellement des fonctions professionnelles d'un avocat, les honoraires sont calculés au taux horaire de 67 \$.
25.5	Des frais d'administration correspondant à la moitié du taux horaire sont payés à l'avocat lorsqu'il signe et retourne l'acceptation d'un certificat et l'engagement à cet égard.

Annexe 3

**HONORAIRES DES AVOCATS POUR LES SERVICES
FOURNIS PAR LES CLERCS, LES STAGIAIRES
ET LES ENQUÊTEURS**

Numéro	COLONNE 1	COLONNE 2
	Description	Honoraires
1.	Honoraires des clercs, stagiaires et enquêteurs au service de l'avocat, taux horaire	23 \$

REMARQUES

- A. Dans les cas où les annexes 1 et 2 prévoient un total pour les honoraires à l'égard d'un service particulier, les honoraires payables pour ce service comprennent les services fournis par un clerc, un stagiaire ou un enquêteur ou plusieurs d'entre eux. Si le service a été intégralement fourni par une ou plusieurs de ces personnes, les honoraires payables pour ce service correspondent au moindre du total des honoraires calculés aux termes de l'annexe 1 ou 2 et de la somme calculée aux termes de la présente annexe.
- B. Dans les cas où les annexes 1 et 2 prévoient un nombre maximal d'heures de préparation, les honoraires prévus à la présente annexe entrent dans le total des honoraires pouvant être accordés et sont compris dans le maximum. Toutefois, pour l'application du maximum, les heures facturées aux termes des annexes 1 et 2 sont incluses en premier.

Annexe 4

HONORAIRES DES AVOCATS DE SERVICE

Numéro	COLONNE 1	COLONNE 2
	Description du service	Taux horaire
1.	Sous réserve du numéro 2, pour l'exercice de fonctions en qualité d'avocat de service conformément à l'article 24 du Règlement de l'Ontario 106/99, jusqu'à concurrence de cinq heures	57 \$
2.	Avec l'approbation du directeur régional, les frais de déplacement pour aller à l'endroit où l'avocat fournit les services et en revenir si la distance à parcourir, à l'aller, est égale ou supérieure à 50 kilomètres et que l'avocat convainc le directeur régional que ce déplacement était justifié et nécessaire dans les circonstances	43
3.	Les frais de déplacement ne doivent pas être accordés si l'avocat doit se déplacer dans les zones suivantes : <ol style="list-style-type: none"> 1. La municipalité régionale de Durham. 2. La partie de la cité de Toronto anciennement appelée cité d'Etoibicoke. 3. La municipalité régionale de Halton. 4. La partie de la cité de Toronto anciennement appelée cité de North York. 5. La municipalité régionale de Peel. 6. La partie de la cité de Toronto anciennement appelée cité de Scarborough. 7. Les parties de la cité de Toronto anciennement appelées cité de Toronto, constituée aux termes de la loi intitulée <i>City of Toronto Act, 1834</i>, cité de York et municipalité d'East York. 8. La municipalité régionale de York. 	

REMARQUES

- A. Sous réserve de l'alinéa 3 (1) b) du présent règlement, les avocats de service ont droit au paiement des services qu'ils fournissent selon un calendrier préétabli.
- B. Sur la recommandation du directeur régional et avec l'approbation du président, le nombre maximal d'heures accordées aux termes du numéro 1 peut être augmenté.
- C. Si le conseil est d'avis qu'il existe des circonstances particulières, l'avocat de service qui fournit des services dans des régions éloignées du nord de l'Ontario peut être payé à un taux quotidien de 800 \$ plutôt qu'au taux horaire prévu à la présente annexe.

D. Pour l'application de la remarque C, la ligne de démarcation entre le nord et le sud de l'Ontario est la même que celle décrite au numéro 13.6 du tableau de l'annexe 1.

E. En plus du taux horaire payable aux termes de la présente annexe, l'avocat de service reçoit des honoraires de comparution ou de présence correspondant aux sommes suivantes :

- a) 40 \$ par jour par tribunal pour une comparution devant un tribunal de la famille, un tribunal de juridiction criminelle ou un tribunal pour jeunes contrevenants;
- b) 40 \$ par jour par lieu pour la présence à une prison, à un hôpital psychiatrique ou à un lieu de consultation juridique;
- c) 40 \$ par autorisation pour fournir des conseils concernant la violence familiale, une seule autorisation par jour étant accordée;
- d) 40 \$ par autorisation pour agir à titre d'avocat de service spécial, une seule autorisation par jour étant accordée.

Annexe 5

HONORAIRES DES AVOCATS-CONSEILS

Numéro	COLONNE 1	COLONNE 2
	Description du service	Taux Horaire
1.	Entrevues avec les auteurs de demandes et prestation à ceux-ci de conseils, y compris la correspondance nécessaire, jusqu'à concurrence de trois heures	57 \$

Annexe 6

DÉBOURS

1. L'avocat qui a fourni des services à l'auteur d'une demande a le droit de se faire rembourser les débours suivants raisonnablement et réellement effectués :
 1. Les débours que prévoit une loi ou qui doivent être effectués en vertu de celle-ci, à l'exception des indemnités de témoin.
 2. Les indemnités de témoin et les frais de déplacement des témoins que prévoit la loi, la règle ou le règlement applicable à l'instance et, en l'absence de telles dispositions, les *Règles de procédure civile* en matière civile et la *Loi sur l'administration de la justice* en matière criminelle.
 3. Avec l'approbation préalable du président ou du liquidateur des comptes juridiques, peuvent être retenus les services d'une personne que la loi ou la pratique autorise à faire un témoignage d'expert ou d'opinion et des honoraires raisonnables peuvent lui être versés au taux fixé par le liquidateur des comptes juridiques dans l'autorisation.
 4. Les honoraires payables au sténographe judiciaire pour la transcription des témoignages ou des motifs du jugement utilisée dans le cadre d'un appel autorisé par certificat.
 5. Les frais de déplacement de l'avocat si la distance parcourue est égale ou supérieure à 50 kilomètres, à l'aller, de son bureau à l'endroit où il exerce ses fonctions et s'ils ont été approuvés par le directeur régional ou accordés aux termes du numéro 13 de l'annexe 1, du numéro 23 de l'annexe 2 ou du numéro 2 de l'annexe 4.

6. Les frais d'appels interurbains et de télécommunication.
7. Le coût réel des copies de documents achetées au greffe ou au bureau d'un gouvernement ou d'un organisme gouvernemental et, dans les autres cas, 10 cents la page.
8. Les frais de poste, de courrier express ou de messagerie pour l'expédition de documents, de la transcription des témoignages ou de pièces en vue de leur utilisation dans le cadre d'une demande, d'une requête ou d'un appel et, dans les autres cas, les frais de courrier express ou de messagerie jusqu'à concurrence de 20 \$.
9. Avec l'approbation du directeur ou du liquidateur des comptes juridiques, les autres débours raisonnables, y compris les dépôts ou autres paiements pouvant être exigés, qui sont effectués selon les besoins dans le cadre de l'instance ou de l'affaire. Cette approbation doit être obtenue au préalable, sauf en cas d'urgence.

23/99

ONTARIO REGULATION 338/99
made under the
**NIAGARA ESCARPMENT PLANNING AND
DEVELOPMENT ACT**

Made: May 19, 1999

Filed: May 20, 1999

Amending Reg. 826 of R.R.O. 1990
(Designation of Area of Development Control)

Note: Regulation 826 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Regulation 826 of the Revised Regulations of Ontario, 1990 is amended by adding the following section:

19. Despite section 2, paragraph 17 of the Schedule to Regulation 683 of the Revised Regulations of Ontario, 1980, as it read on December 31, 1990, shall be deemed to read as follows:

17. Lands within the City of Owen Sound in the County of Grey described as follows:

- i. Beginning at a southeasterly angle of the City of Owen Sound;

Thence westerly along the centre line of Superior Street to intersect with the southerly prolongation of the westerly limit of Park Lot 3 in Range 2 East of the Garafraxa Road;

Thence northerly along the westerly limit of Park Lot 3 to the northerly limit of the southerly half of Park Lot 3 in Range IV East of the Garafraxa Road;

Thence easterly along the northerly limit of the southerly half of Park Lot 3 to its easterly limit;

Thence southerly along the easterly limit of Park Lot 3 to intersect with the southerly limit of 8th Street East;

Thence easterly along the southerly limit of 8th Street East to intersect with the westerly limit of Park Lot 5 in Range III East of the Garafraxa Road;

Thence northerly along the westerly limit of Park Lot 5, crossing 8th Street East, to the southwesterly angle of Park Lot 5 in Range V East of the Garafraxa Road;

Thence westerly along the southerly limit of Range V East of the Garafraxa Road to the southwesterly angle of Park Lot 4;

Thence northerly along the westerly limit of Park Lot 4 to intersect with the southerly limit of 16th Street East;

Thence easterly along the southerly limit of 16th Street East to intersect with the westerly limit of Park Lot 7;

Thence southerly along the westerly limit of Park Lot 7 to its southwesterly angle;

Thence easterly along the southerly limit of Park Lot 7 and Park Lot 8 to a point measured a distance of ± 99.974 metres westerly from the easterly limit of Park Lot 8;

Thence northerly and parallel with the easterly limit of Park Lot 8 to the southerly limit of 16th Street East;

Thence easterly along the southerly limit of 16th Street East and its easterly prolongation to intersect with the easterly limit of the City of Owen Sound;

Thence southerly along the easterly limit of the City to the place of beginning.

- ii. Beginning at the point of intersection of the southerly boundary of the City of Owen Sound and the brow of the escarpment, the point being 377.342 metres measured westerly therealong from the easterly limit of Terrace Street;

Thence northerly and westerly along the brow of the escarpment in the 3rd Range West of the River to the westerly boundary of the City of Owen Sound;

Thence southerly along the westerly boundary to a southwesterly angle within the City of Owen Sound boundary;

Thence easterly along the southerly boundary of the City to the place of beginning.

JOHN C. SNOBELEN
Minister of Natural Resources

Dated on May 19, 1999.

23/99

CORRECTIONS

Ontario Regulation 106/99 under the *Legal Aid Services Act, 1998* published in the March 27, 1999 issue of *The Ontario Gazette*.

Subparagraph 1 of paragraph 2 of subsection 24 (2) of Ontario Regulation 106/99 was inadvertently omitted from publication. It reads as follows:

- i. advise persons about their rights and take any steps necessary to protect those rights,

Ontario Regulation 107/99 under the *Legal Aid Services Act, 1998* published in the March 27, 1999 issue of *The Ontario Gazette*.

Item 9.3 of Part IV of the Table to Schedule 1 to Ontario Regulation 107/99 should have read as follows:

9.3	<p>Despite items 9.1 and 9.2, on a stated case summary conviction appeal,</p> <p>(a) for all services rendered in connection with the appeal, other than attendance in court on the hearing of the appeal, and for one day attendance on the hearing of the appeal</p> <p>(b) for each day attendance on the hearing of the appeal after the first day, including all preparation</p>	<p>11</p> <p>6.5</p>
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Item 13.1 of Part V of the Table to Schedule 1 to Ontario Regulation 107/99 should have read as follows:

13.1	<p>With the approval of the area director, travel time shall be allowed at the rate of \$43 per hour, where a lawyer travels more than 50 kilometres, one way, from his or her office,</p> <p>(a) for an appearance in court as counsel on behalf of an applicant other than for an adjournment, setting a date for a future appearance or similar procedural matter;</p> <p>(b) for up to two visits before the preliminary inquiry with an applicant who is incarcerated;</p> <p>(c) for one visit before trial with an applicant who is incarcerated;</p> <p>(d) for one pre-trial conference with the judge before the preliminary inquiry;</p> <p>(e) for one pre-trial conference with the judge before the trial.</p>
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Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1999—06—12

ONTARIO REGULATION 339/99 made under the FAIRNESS IS A TWO-WAY STREET ACT (CONSTRUCTION LABOUR MOBILITY), 1999

Made: May 22, 1999
Filed: May 25, 1999

EXEMPTION—LAFARGE CANADA INC.

1. LaFarge Canada Inc. is exempt from the Act.

JAMES MICHAEL FLAHERTY
Minister of Labour

Dated on May 22, 1999.

24/99

ONTARIO REGULATION 340/99 made under the FAIRNESS IS A TWO-WAY STREET ACT (CONSTRUCTION LABOUR MOBILITY), 1999

Made: May 22, 1999
Filed: May 25, 1999

EXEMPTION—DUFFERIN CONSTRUCTION COMPANY, A DIVISION OF ST. LAWRENCE CEMENT INC.

1. Dufferin Construction Company, a Division of St. Lawrence Cement Inc. is exempt from the Act.

JAMES MICHAEL FLAHERTY
Minister of Labour

Dated on May 22, 1999.

24/99

ONTARIO REGULATION 341/99 made under the ONTARIO PLANNING AND DEVELOPMENT ACT, 1994

Made: May 18, 1999
Filed: May 25, 1999

Amending O. Reg. 478/73
(Municipality of Metropolitan Toronto, Borough of Etobicoke
(now the City of Etobicoke))

Note: Ontario Regulation 478/73 has not been amended in 1999. Previous amendments are listed in the Tables of Regulations in the Statutes of Ontario, 1991 and the Statutes of Ontario, 1998.

1. Paragraph iv of section 2 of Ontario Regulation 478/73 is amended by adding the following subparagraph:

3. That portion of Lot 40 in Concession IV in the City of Toronto (formerly in the City of Etobicoke in The Regional Municipality

of Metropolitan Toronto) as shown on a map numbered 202 identified by the Registrar of Regulations Office on May 25, 1999 and filed with the Provincial Planning and Environmental Services Branch of the Ministry of Municipal Affairs and Housing at Toronto.

2. Section 15 of the Regulation is revoked.

BRYAN W. TUCKEY
Director

Provincial Planning and Environmental Services Branch
Ministry of Municipal Affairs and Housing

Dated on May 18, 1999.

24/99

ONTARIO REGULATION 342/99 made under the MUNICIPAL ACT

Made: May 18, 1999
Filed: May 25, 1999

Amending O. Reg. 387/98
(Tax Matters—Taxation of Certain Railway, Power Utility Lands)

Note: Ontario Regulation 387/98 has previously been amended. Those amendments are listed in the Statutes of Ontario, 1998.

1. Ontario Regulation 387/98 is amended by adding the following section:

TAX RATES FOR CERTAIN LAND FOR 1999

2.1 (1) Despite section 1 and subject to subsections (2) and (3), land owned by the owner on December 31, 1997 shall be taxed under section 368.3 of the Act for 1999 at the rates of tax set out in Tables 2 to 6 for the municipality in which the land is located.

(2) If the tax rate for a municipality set out in Table 2, 3, 4, 5 or 6 is greater than the tax rate that applies for the municipality in Table 1, the tax rate determined under subsection (1) for that municipality shall be reduced by one-seventh of the difference.

(3) If the tax rate for a municipality set out in Table 2, 3, 4, 5 or 6 is less than the tax rate that applies for the municipality in Table 1, the tax rate for the land for 1999 shall be increased by one-seventh of the difference.

2. The Regulation is amended by adding the following section:

PRESCRIBED POWER UTILITIES

4. A designated electricity utility, as defined in subsection 19.0.1 (5) of the *Assessment Act*, is prescribed as a power utility for the purposes of paragraph 2 of subsection 368.3 (1) of the Act.

ERNIE EVES
Minister of Finance

Dated on May 18, 1999.

24/99

ONTARIO REGULATION 343/99made under the
EDUCATION ACTMade: May 18, 1999
Filed: May 25, 1999

Amending O. Reg. 392/98

(Tax Matters—Taxation of Certain Railway, Power Utility Lands)

Note: Ontario Regulation 392/98 has previously been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Ontario Regulation 392/98 is amended by adding the following sections:

4. (1) Despite section 2 and subject to subsections (2) and (3), for land owned by the owner on December 31, 1997, the tax rates set out in Tables 2 to 6 for the municipality or territory in which the land is located are prescribed as the tax rates for school purposes for 1999 for the purposes of section 257.7 of the Act.

(2) If the tax rate for a municipality or territory set out in Table 2, 3, 4, 5 or 6 is greater than the tax rate that applies for the municipality or territory in Table 1, the tax rate determined under subsection (1) for that municipality or territory shall be reduced by one-seventh of the difference.

(3) If the tax rate for a municipality or territory set out in Table 2, 3, 4, 5 or 6 is less than the tax rate that applies for the municipality or territory in Table 1, the tax rate for the land for 1999 shall be increased by one-seventh of the difference.

5. A designated electricity utility, as defined in subsection 19.0.1 (5) of the *Assessment Act*, is prescribed as a power utility for the purposes of paragraph 2 of subsection 368.3 (1) of the *Municipal Act*.

ERNE EVES
Minister of Finance

Dated on May 18, 1999.

24/99

ONTARIO REGULATION 344/99made under the
MUNICIPAL ACTMade: May 18, 1999
Filed: May 25, 1999

Amending O. Reg. 47/99

(Tax Matters—Rebates for Charities on Property to which
Division B of Part XXII.2 of the Act Applies)

Note: Ontario Regulation 47/99 has not previously been amended.

1. Clause 3 (a) of Ontario Regulation 47/99 is revoked and the following substituted:

(a) for the 1998 taxation year, on or before June 30, 1999;

ERNE EVES
Minister of Finance

Dated on May 18, 1999.

24/99

ONTARIO REGULATION 345/99made under the
ASSESSMENT ACTMade: May 18, 1999
Filed: May 25, 1999Amending O. Reg. 282/98
(General)

Note: Since the end of 1998, Ontario Regulation 282/98 has been amended by Ontario Regulations 8/99 and 46/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Subparagraph 1 i of subsection 21 (3) of Ontario Regulation 282/98 is amended by striking out "after 1999" and substituting "after 2000".

ERNE EVES
Minister of Finance

Dated on May 18, 1999.

24/99

ONTARIO REGULATION 346/99made under the
EDUCATION ACTMade: May 18, 1999
Filed: May 25, 1999

Amending O. Reg. 509/98

(Tax Matters—Relief in Unorganized Territory
(Section 257.2.1 of the Act))

Note: Since the end of 1998, Ontario Regulation 509/98 has been amended by Ontario Regulation 78/99. Previous amendments are listed in the Tables of Regulations in the Statutes of Ontario, 1998.

1. Subsection 10 (6) of Ontario Regulation 509/98 is amended by adding the following paragraph:

4.1 The tax collected shall be distributed in accordance with sections 257.8 and 257.9 of the Act.

ERNE EVES
Minister of Finance

Dated on May 18, 1999.

24/99

ONTARIO REGULATION 347/99made under the
PROVINCIAL LAND TAX ACTMade: May 18, 1999
Filed: May 25, 1999

Amending O. Reg. 439/98

(Tax Rates under Section 21.1 of the Act for 1998)

Note: Ontario Regulation 439/98 has been amended. Those amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Section 1 of Ontario Regulation 439/98 is amended by adding "and 1999" at the end.

2. The Table to the Regulation is amended by striking out the row for "Moosonee Dev Area Bd" under the heading "Cochrane D" and substituting the following:

Territory	Residential/farm property class	Multi-residential property class
Moosonee Dev Area Bd	0.000740	0.004700

ERNIE EVES
Minister of Finance

Dated on May 18, 1999.

24/99

ONTARIO REGULATION 348/99
made under the
MUNICIPAL ACT

Made: May 18, 1999
Filed: May 25, 1999

Amending O. Reg. 7/99

(Part XXII.2—Capping of Taxes for Certain Property Classes for 1998, 1999 and 2000—10/5/5 per cent cap)

Note: Ontario Regulation 7/99 has previously been amended by Ontario Regulations 80/99 and 234/99.

1. The definition of "Multi-residential adjustment" in subsection 11 (2) of Ontario Regulation 7/99 is revoked and the following substituted:

"Multi-residential adjustment" for a municipality means the adjustment set out in Table 7 for that municipality;

2. Paragraph 2 of subsection 13 (2) of the Regulation is revoked and the following substituted:

2. For the purposes of paragraph 1, the assessment is the assessment set out in the assessment roll for 1997, as revised, but shall not include any changes resulting from,

- a decision of the Assessment Review Board or the Ontario Municipal Board rendered after December 31, 1997, or
- an assessment made under section 33 or 34 of the *Assessment Act* made after December 31, 1997.

3. Sections 14.1 and 14.2 of the Regulation are revoked.

4. The Regulation is amended by adding the following sections:

ESTABLISHING THE DATE ON OR AFTER WHICH TAX NOTICES
FOR 1998, 1999 AND 2000 MAY BE MADE

31. (1) This section provides for how municipalities are to determine,

- the date on which the 1998 tax decrease phase-in may be determined; and
- the date on or after which notices recalculating 1998 tax liabilities under section 368.0.2 of the Act and final tax notices for 1999 and 2000 may be issued.

(2) Each upper-tier and single tier municipality shall determine the date on or after which notices recalculating 1998 tax liabilities under

section 368.0.2 of the Act may be issued and shall determine on that date the percentage for 1998 under paragraph 2 of subsection 447.51 (4) of the Act for the municipality.

(3) The treasurer of each upper-tier municipality shall advise the treasurer of each of its lower-tier municipalities of the date and percentage as soon as they are determined under subsection (2).

(4) Each lower-tier municipality that is advised of the date and percentage under subsection (2) shall recalculate 1998 tax liabilities in accordance with section 368.0.2 of the Act, based on the frozen assessment listing for 1998 for the municipality, as revised by that date.

(5) Each single tier municipality shall issue notices setting out the recalculated 1998 tax liabilities in accordance with section 368.0.2 of the Act, based on the frozen assessment listing for 1998, as revised by the date determined under subsection (2).

(6) Each upper-tier and single tier municipality shall determine the date on or after which final tax notices for 1999 and 2000 may be issued and shall determine on that date its percentage for 1999 and 2000 under paragraph 2 of subsection 447.51 (4) of the Act.

(7) The treasurer of each upper-tier municipality shall advise the treasurer of each of its lower-tier municipalities of the date and percentage as soon as they are determined under subsection (6).

(8) Each lower-tier municipality that is advised of the date and percentage under subsection (6) shall recalculate 1998 tax liabilities in accordance with section 368.0.2 of the Act, based on the frozen assessment listing for 1998 for the municipality, as revised by that date.

(9) Each single tier municipality shall issue notices setting out the recalculated 1998 tax liabilities in accordance with section 368.0.2 of the Act, based on the frozen assessment listing for 1998, as revised by the date determined under subsection (6).

(10) In this section,

"single tier municipality" means a municipality that is not an upper-tier or a lower-tier municipality.

**DETERMINATION OF TAX LIABILITY FOR CHANGES
MADE UNDER SECTION 447.23 OF THE ACT**

32. Subject to subsection 447.23 (2) of the Act, the tax liability of a property to which section 447.23 of the Act applies shall be determined in accordance with section 447.15 of the Act, except that,

- if subsection 447.10 (3) of the Act is not to be taken into account to determine the increase in assessment, section 447.19 of the Act does not apply; and
- if subsection 447.10 (3) of the Act is to be taken into account to determine the increase in assessment, section 447.19 of the Act does apply as if the supplementary assessment were a separate property.

VACANCY CHANGES FOR 1998

33. For the purposes of subsection 447.5 (4) of the Act, any change to the assessment of property in the subclass for vacant units and excess land prescribed in section 21 of Ontario Regulation 282/98 made under the *Assessment Act* for the property class the property is in from the assessment of the property in the subclass that is set out on the 1998 assessment roll, as returned, as a result of a settlement under section 39.1 of the *Assessment Act*, an appeal under section 40 of that Act, an application under section 46 of that Act or an application under section 442 of the *Municipal Act*, the municipality shall adjust the frozen assessment listing for 1998 as provided under section 447.12 of the *Municipal Act*.

5. Table 1 of the Regulation is amended by striking out the row for "City of Belleville" and substituting the following:

Municipality	Commercial classes (amounts in dollars)	Industrial classes (amounts in dollars)
City of Belleville		\$484,910

6. (1) Table 2 of the Regulation is amended by striking out the rows for "Belleville, C—Belleville, C" and "Belleville, C—Thurlow, Tp" and substituting the following:

Municipality	Multi-residential property class	Commercial property class	Industrial property class
Belleville, C	-.019237	.006969	.000819

(2) Table 2 of the Regulation is amended by inserting the following municipality following the row for "Kingston, C" and by inserting the following factors opposite to it:

Municipality	Multi-residential property class	Commercial property class	Industrial property class
Prince Edward County, C	.220360	.064164	.051877

(5) Table 2 of the Regulation is amended by inserting the following municipality following the row for "Geraldton, T" under the heading "Thunder Bay, D" and substituting the following:

Municipality	Multi-residential property class	Commercial property class	Shopping property class	Parking property class	Industrial property class	Large industrial property class
Manitouwadge, Tp	-.189840	-.046600			-.028190	
Marathon, T	-.007878	-.009190	-.005360	.012500	.234890	.043890

7. The Regulation is amended by adding the following Table:

TABLE 7

Municipality	Multi-residential adjustment
Durham R	0.00022353
Haldimand-Norfolk R	0.00042999
Halton R	0.00021711
Hamilton-Wentworth R	0.00213645
Muskoka D	-0.00125953
Niagara R	0.00057453
Ottawa-Carleton R	0.00692657
Oxford Co	0.00044195
Peel R	0.00371122
Sudbury R	0.00031711
Waterloo R	0.00039313
York R	0.00493049
Brant Co	0.00051643

(3) Table 2 of the Regulation is amended by striking out the row for "Quinte West, C" and substituting the following:

Municipality	Multi-residential property class	Commercial property class	Industrial property class	Large industrial property class
Quinte West (New Revision)	.065123	.058508	.059981	.059981

(4) Table 2 of the Regulation is amended by inserting the following municipality following the row for "Fauquier-Strickland, Tp" under the heading "Cochrane, D" and by inserting the following factors opposite to it:

Municipality	Multi-residential property class	Commercial property class	Industrial property class	Large industrial property class
Iroquois Falls, T	.030688	.019282	.034610	.036332

Municipality	Multi-residential adjustment
Brantford C	0.00024776
Bruce Co	-0.00008389
Chatham-Kent M	0.00000000
Elgin Co	0.00044480
St Thomas C	0.00029359
Essex Co	-0.00129735
Peele Tp	0.00000000
Windsor C	0.00039975
Frontenac Co	0.00292732
Kingston C	0.00397453
Grey Co	0.00007954
Owen Sound C	0.00047941
Haliburton Co	-0.00052425

Municipality	Multi-residential adjustment
Hastings Co	0.00070023
Belleville C	0.00303155
Quinte West C	0.00420611
Huron Co	-0.00032869
Lambton Co	0.00034230
Lanark Co	0.00075102
Smiths Falls ST	0.00123199
Leeds & Grenville Co	0.00074937
Brockville C	0.00021847
Gananoque ST	0.00076671
Prescott ST	0.00058627
Lennox and Addington Co	0.00103383
Middlesex Co	0.00035968
London C	0.00654798
Northumberland Co	0.00262765
Perth Co	0.00056522
St Marys ST	0.00085599
Stratford C	0.00023450
Peterborough Co	0.00132752
Peterborough C	-0.00032366
Prescott and Russell Co	0.00076736
Cornwall C	0.00393132
Prince Edward County C	-0.00027179
Renfrew Co	0.00047674
Pembroke C	0.00035677
Simcoe Co	0.00067304
Barrie C	0.00049210
Orillia C	0.00237351
Stormont, Dundas & Glengarry Co	0.00113887
Victoria Co	0.00450581
Wellington Co	0.00036426
Guelph C	0.00030078
Algoma D	
Blind River T	0.00377208
Bruce Mines T	0.00025833
Day and Bright Additional Tp	0.00000000
Dubreuilville Tp	0.00000036
Elliot Lake C	0.00825699
Hilton Beach V	0.00055773
Hilton Tp	0.00000000
Hornepayne Tp	-0.00057847
Iron Bridge V	0.00496809

Municipality	Multi-residential adjustment
Jocelyn Tp	0.00000000
Johnson Tp	0.00000000
Laird Tp	0.00000000
Macdonald Meredith et al Tp	-0.00000236
Michipicoten Tp .	0.00016630
Plummer Additional Tp	0.00000000
Prince Tp	0.00000000
Sault Ste Marie C	0.00004109
Shedden Tp	0.00025578
St Joseph Tp	-0.00074264
Tarbutt and Tarbutt Additional Tp	0.00000000
The North Shore Tp	0.00000000
Thessalon Tp	-0.00210244
Thessalon T	-0.00024276
Thompson Tp	0.00000000
White River Tp	0.00083772
Cochrane D	
Black River-Matheson Tp	-0.00062570
Cochrane T	0.00333888
Fauquier-Strickland Tp	0.00044206
Glackmeyer Tp	-0.00092521
Hearst T	0.00022963
Iroquois Falls T	0.00048025
Kapuskasing T	0.00331426
Mattice-Val Cote Tp	-0.00237263
Moonbeam Tp	0.00081076
Opasatika Tp	0.00000000
Smooth Rock Falls T	0.00432753
Timmins C	0.00056957
Val Rita-Harty Tp	-0.00031911
Kenora D	
Dryden T/Barclay Tp (6028 Barclay Tp)	0.00020210
Ear Falls Tp	0.00434286
Golden Tp	0.00570116
Ignace Tp	-0.00000008
Jaffray Melick T	0.00000000
Keewatin T	-0.00153536
Kenora T	0.00010620
Pickle Lake Tp	-0.00144116
Red Lake Tp	0.00797490
Red Lake T	0.01492792
Sioux Narrows Tp	0.00000000

Municipality	Multi-residential adjustment
Manitoulin D	
Assignack Tp	-0.00100211
Barrie Island Tp	0.00000000
Billings Tp	0.00000000
Burpee & Mills Tp	0.00000000
Carnarvon Tp	-0.00101340
Central Manitoulin Tp	0.00307900
Cockburn Island Tp	0.00000000
Gordon Tp	0.00000000
Gore Bay T	-0.00123360
Northeastern Manitoulin T	-0.00116362
Rutherford & George Island Tp	0.00000000
Sandfield Tp	0.00000000
Tehkummah Tp	0.00000000
Nipissing D	
Airy Tp	0.00000000
Bonfield Tp	0.00000000
Cache Bay T	-0.00124103
Caldwell Tp	-0.00135692
Calvin Tp	0.00000000
Chisholm Tp	0.00000000
East Ferris Tp	0.00000000
Field Tp	-0.00115497
Mattawa T	0.00038094
Mattawan Tp	0.00000000
North Bay C	0.00023367
Papineau-Cameron Tp	0.00000000
South Algonquin Tp	0.00000000
Springer Tp	-0.00000062
Sturgeon Falls T	-0.00015061
Temagami Tp	-0.00029161
Parry Sound D	
Armour Tp	-0.00100986
Burk's Falls V	-0.00007937
Carling Tp	0.00000000
Hagerman Tp	0.00000000
Joly Tp	0.00000000
Kearney T	0.00000000
Machar Tp	0.00000000
Magnetawan Tp (amalgamated)	0.00440700
Magnetawan Tp	-0.00012827
McDougall Tp	0.00000000

Municipality	Multi-residential adjustment
McKellar Tp	0.00000000
McMurrich Tp	0.00000000
Nipissing Tp	0.00000000
North Himsworth Tp	-0.00007175
Parry Sound T	-0.00120493
Perry Tp	-0.00029896
Powassan T	0.00240747
Ryerson Tp	0.00000000
Seguin Tp	-0.00239023
South Himsworth Tp	0.00000000
South River V	-0.00078496
Strong Tp	-0.00204000
Sundridge V	-0.00077393
The Archipelago Tp	0.00000000
Trout Creek T	0.00000123
Rainy River D	
Alberton Tp	0.00000000
Atikokan Tp	0.00559070
Chapple Tp	0.00000000
Dawson Tp	-0.00139091
Emo Tp	-0.00032245
Fort Frances T	0.00030984
La Vallee Tp	0.00000000
Lake of the Woods Tp	0.00000000
Morley Tp	-0.00166773
Rainy River T	-0.00054359
Sudbury D	
Baldwin Tp	-0.00013351
Casimir Jennings & Appleby Tp	0.00048780
Chapleau Tp	0.00045903
Cosby Mason and Martland Tp	-0.00004865
Espanola T/Merritt Tp	0.00040241
Hagar Tp	0.00000000
Massey T	-0.00119677
Nairn & Hyman Tp	0.00000000
Ratter and Dunnet Tp	0.00110961
Sables-Spanish Rivers Tp	0.00545403
The Spanish River Tp	0.00000000
Webbwood T	0.00000055
Thunder Bay D	
Beardmore Tp	-0.00000351
Conmee Tp	0.00000000

Municipality	Multi-residential adjustment
Dorion Tp	0.00000000
Geraldton T	0.00406429
Gillies Tp	0.00000000
Longlac T	0.00727318
Manitouawadge Tp	0.01131735
Marathon T	0.00019272
Nakina Tp	-0.00007212
Neebing Tp	0.00000000
Nipigon Tp	0.00455129
O'Connor Tp	0.00000000
Oliver & Paipoonge Tp	-0.00000017
Red Rock Tp	0.00465787
Schreiber Tp	0.00401433
Shuniah Tp	-0.00000155
Terrace Bay Tp	-0.00000017
Thunder Bay C	0.00072740
Timiskaming D	
Armstrong Tp	0.00319496
Casey Tp	0.00000000
Chamberlain Tp	0.00000000
Charlton T	0.00000000
Cobalt T	0.00061410
Coleman Tp	0.00000000

Municipality	Multi-residential adjustment
Dack Tp	0.00000000
Dymond Tp	0.00000000
Englehart T	0.00391989
Evanturel Tp	0.00000000
Gauthier Tp	0.00000000
Haileybury T	0.00076108
Harley Tp	0.00000000
Harris Tp	0.00000000
Hilliard Tp	0.00000000
Hudson Tp	0.00000000
James Tp	0.00303515
Kerns Tp	0.00000000
Kirkland Lake T	0.00296065
Larder Lake Tp	0.00019570
Latchford T	0.00000000
Matachewan Tp	0.00000000
McGarry Tp	-0.00256445
New Liskeard T	0.00166718
Thornloe V	0.00000000

ERNIE EVES
Minister of Finance

Dated on May 18, 1999.

24/99

CORRECTION

Ontario Regulation 288/99 under the *Courts of Justice Act* published in the May 15, 1999 issue of *The Ontario Gazette*.

The formula set out in clause 53.09 (2) (b) should have read as follows:

$$g = \frac{(1 + i)}{(1 + d)} - 1$$

CORRECTION

Règlement de l'Ontario 288/99 pris en application de la *Loi sur les tribunaux judiciaires* dans le numéro du 15 mai 1999 de la *Gazette de l'Ontario*.

La formule figurant à l'alinéa 53.09 (2) (b) aurait dû s'énoncer comme suit:

$$g = \frac{(1 + i)}{(1 + d)} - 1$$

Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1999—06—19

ONTARIO REGULATION 349/99 made under the PROVINCIAL OFFENCES ACT

Made: April 29, 1999
Filed: June 2, 1999

Amending Reg. 950 of R.R.O. 1990
(Proceedings Commenced by Certificate of Offence)

Note: Since the end of 1998, Regulation 950 has been amended by Ontario Regulation 93/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Item 5 of Schedule 44 to Regulation 950 of the Revised Regulations of Ontario, 1990 is revoked.

25/99

ONTARIO REGULATION 350/99 made under the GREATER TORONTO SERVICES BOARD ACT, 1998

Made: June 2, 1999
Filed: June 3, 1999

Amending O. Reg. 136/99
(General)

Note: Ontario Regulation 136/99 has not previously been amended.

1. Ontario Regulation 136/99 is amended by adding the following section:

GT TRANSIT LEVY

4. The time for passing a by-law under subsection 66 (1) of the Act is extended to July 31, 1999.

AL LEACH
Minister of Municipal Affairs and Housing

Dated on June 2, 1999.

25/99

ONTARIO REGULATION 351/99 made under the ASSESSMENT ACT

Made: May 18, 1999
Filed: June 4, 1999

Amending O. Reg. 282/98
(General)

Note: Since the end of 1998, Ontario Regulation 282/98 has been amended by Ontario Regulations 8/99, 46/99 and 345/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. Subsection 3 (1) of Ontario Regulation 282/98 is amended by adding the following paragraph:

3. For the 2000 and subsequent taxation years, the portion of land that is licensed or required to be licensed under Part II of the *Aggregate Resources Act* that is not in the farmlands property class or the industrial property class.

2. Paragraph 2 of subsection 6 (2) of the Regulation is revoked and the following substituted:

2. For the 1998 and 1999 taxation years, land used for mining, quarrying, producing oil or gas or extracting anything from the earth.

2.1 For the 2000 and subsequent taxation years, land used for mining, producing oil or gas or extracting anything from the earth. This paragraph does not apply to,

i. land that is licensed or required to be licensed under Part II of the *Aggregate Resources Act*, or

ii. land that would be required to be licensed under Part II the *Aggregate Resources Act* if the land were in a part of Ontario designated under section 5 of that Act.

2.2 For the 2000 and subsequent taxation years, the portion of,

i. land that is licensed or required to be licensed under Part II of the *Aggregate Resources Act*, or

ii. land that would be required to be licensed under Part II of the *Aggregate Resources Act* if the land were in a part of Ontario designated under section 5 of that Act,

that is used for,

iii. extracting anything from the earth,

iv. excavating,

v. processing extracted or excavated material,

vi. stockpiling extracted or excavated material, or

vii. stockpiling overburden.

- 2.3 For the 2000 and subsequent taxation years, roadways and structures on a portion of land that is licensed or required to be licensed under Part II of the *Aggregate Resources Act* if the roadway or structure is used in connection with an activity listed in paragraph 2.2.

ERNIE EVES
Minister of Finance

Dated on May 18, 1999.

25/99

ONTARIO REGULATION 352/99
made under the
PLANNING ACT

Made: June 4, 1999
Filed: June 4, 1999

Amending O. Reg. 525/97
(Exemption from Approval—Official Plan Amendments)

Note: Since the end of 1998, Ontario Regulation 525/97 has been amended by Ontario Regulation 235/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. The Schedule to Ontario Regulation 525/97 is amended by adding the following:

Municipality	Date
County of Wellington	June 15, 1999

2. This Regulation comes into force on June 15, 1999.

AL LEACH
Minister of Municipal Affairs and Housing

Dated on June 4, 1999.

25/99

RÈGLEMENT DE L'ONTARIO 352/99
pris en application de la
LOI SUR L'AMÉNAGEMENT DU TERRITOIRE

pris le 4 juin 1999
déposé le 4 juin 1999

modifiant le Règl. de l'Ont. 525/97
(Exemption de l'approbation — modification d'un plan officiel)

Remarque : Depuis la fin de 1998, le Règlement de l'Ontario 525/97 a été modifié par le Règlement de l'Ontario 235/99. Les modifications antérieures sont indiquées dans la Table des règlements figurant dans les Lois de l'Ontario de 1998.

1. L'annexe du Règlement de l'Ontario 525/97 est modifiée par adjonction de ce qui suit :

Municipalité	Date
Comté de Wellington	15 juin 1999

2. Le présent règlement entre en vigueur le 15 juin 1999.

AL LEACH
Ministre des Affaires municipales et du Logement

Fait le 4 juin 1999.

Publications under the Regulations Act Publications en vertu de la Loi sur les règlements

1999—06—26

ONTARIO REGULATION 353/99made under the
DAY NURSERIES ACT

Made: June 7, 1999

Filed: June 9, 1999

Amending O. Reg. 137/99

(Designation of Geographic Areas and Delivery Agents)

Note: Ontario Regulation 137/99 has not previously been amended.

1. (1) Section 1 of Ontario Regulation 137/99 is amended by striking out the portion before the Table and substituting the following:

1. The territories, as constituted from time to time, of the municipalities and district social services administration boards set out in Column 1 of the following Table are designated as geographic areas and the entity set out opposite to each geographic area in Column 2 of the Table is designated as the delivery agent for that geographic area:

(2) The Table to section 1 of the Regulation is amended by adding the following items:

7.	The district for the District of Algoma Social Services Administration Board, as described in Ontario Regulation 278/98	District of Algoma Social Services Administration Board
8.	Regional Municipality of Hamilton-Wentworth	Regional Municipality of Hamilton-Wentworth
9.	County of Lanark and Town of Smith Falls	County of Lanark
10.	The district for the District of Parry Sound Social Services Administration Board, as described in Ontario Regulation 278/98	District of Parry Sound Social Services Administration Board
11.	County of Peterborough and City of Peterborough	City of Peterborough
12.	County of Simcoe, City of Barrie and City of Orillia	County of Simcoe
13.	City of Toronto	City of Toronto
14.	Regional Municipality of York	Regional Municipality of York

2. This Regulation comes into force on July 1, 1999.

JANET ECKER

Minister of Community and Social Services

Dated on June 7, 1999.

26/99

ONTARIO REGULATION 354/99made under the
LIQUOR LICENCE ACT

Made: May 5, 1999

Filed: June 10, 1999

Amending Reg. 719 of R.R.O. 1990

(Licences to Sell Liquor)

Note: Since the end of 1998, Regulation 719 has been amended by Ontario Regulations 122/99 and 252/99. Previous amendments are listed in the Table of Regulations in the Statutes of Ontario, 1998.

1. (1) Subsection 57 (3) of Regulation 719 of the Revised Regulations of Ontario, 1990 is revoked and the following substituted:

(3) The beer manufactured by the licence holder must be sold and consumed only,

(a) on the premises to which the licence holder's licence applies;

(b) on one premises other than the premises where the beer is manufactured if,

(i) the licence holder has at least a 51 per cent interest in the business carried on at the other premises; and

(ii) a liquor sales licence applies to the other premises; or

(c) in accordance with any caterer's endorsement attached to the licence holder's licence.

(2) Subsection 57 (7) of the Regulation is revoked and the following substituted:

(7) The licence holder shall make a daily record indicating the amount of beer manufactured for sale and the amounts of beer sold at each location referred to in subsection (3), and shall retain the records for two years.

2. Section 104 of the Regulation is revoked.

26/99

ONTARIO REGULATION 355/99made under the
PLANNING ACT

Made: June 9, 1999

Filed: June 10, 1999

DELEGATION OF AUTHORITY— VARIOUS MUNICIPALITIES

1. All authority of the Minister under the following provisions is delegated to the council of each of the municipalities listed in the Schedule with respect to all applications made on or after June 15, 1999 for land situate in the municipality:

1. Subsection 50 (18) of the Act, to give approvals.

2. Section 53 of the Act, to give consents.
3. Section 57 of the Act, to issue a certificate of validation.
2. (1) If any authority delegated under section 1 is further delegated to a committee of council or to an appointed officer under subsection 5 (1) of the Act, the council shall forward to the Minister a certified copy of the delegating by-law within 15 days of its passing.
- (2) The delegations of authority set out in this Regulation are not terminated by reason only that the condition set out in subsection (1) is not complied with.
3. This Regulation comes into force on June 15, 1999.

Schedule

Township of Armstrong
Township of Casey
Township of Hilliard
Township of Hudson
Township of Kerns
Township of Plummer Additional

AL LEACH
Minister of Municipal Affairs and Housing

Dated on June 9, 1999.

26/99

ONTARIO REGULATION 356/99
made under the
PLANNING ACT

Made: June 9, 1999
Filed: June 10, 1999

DELEGATION OF AUTHORITY—VARIOUS
MUNICIPALITIES (APPLICATIONS MADE
BEFORE JUNE 15, 1999)

1. The Minister's authority to give consents under section 53 of the Act is delegated to,
- (a) the Council of The Corporation of the Township of Casey with respect to applications for consent made before June 15, 1999 whose file numbers are set out in Schedule 1;
- (b) the Council of The Corporation of the Township of Hilliard with respect to applications for consent made before June 15, 1999 whose file numbers are set out in Schedule 2;

- (c) the Council of The Corporation of the Township of Hudson with respect to applications for consent made before June 15, 1999 whose file numbers are set out in Schedule 3; and
- (d) the Council of The Corporation of the Township of Plummer Additional with respect to applications for consent made before June 15, 1999 whose file number is set out in Schedule 4.
2. (1) If any authority delegated under this Regulation is further delegated to a committee of the council or to an appointed officer under subsection 5 (1) of the Act, the council shall forward to the Minister a certified copy of the delegating by-law within 15 days of its passing.
- (2) The delegation under this Regulation is not terminated by reason that the condition set out in subsection (1) is not complied with.
3. This Regulation comes into force on June 15, 1999.

Schedule 1

TOWNSHIP OF CASEY

54C-980004
54C-980029
54C-990003
54C-990004

Schedule 2

TOWNSHIP OF HILLIARD

54C-980018
54C-980026

Schedule 3

TOWNSHIP OF HUDSON

54C-970015
54C-970022

Schedule 4

TOWNSHIP OF PLUMMER ADDITIONAL

57C-980005

AL LEACH
Minister of Municipal Affairs and Housing

Dated on June 9, 1999.

26/99

